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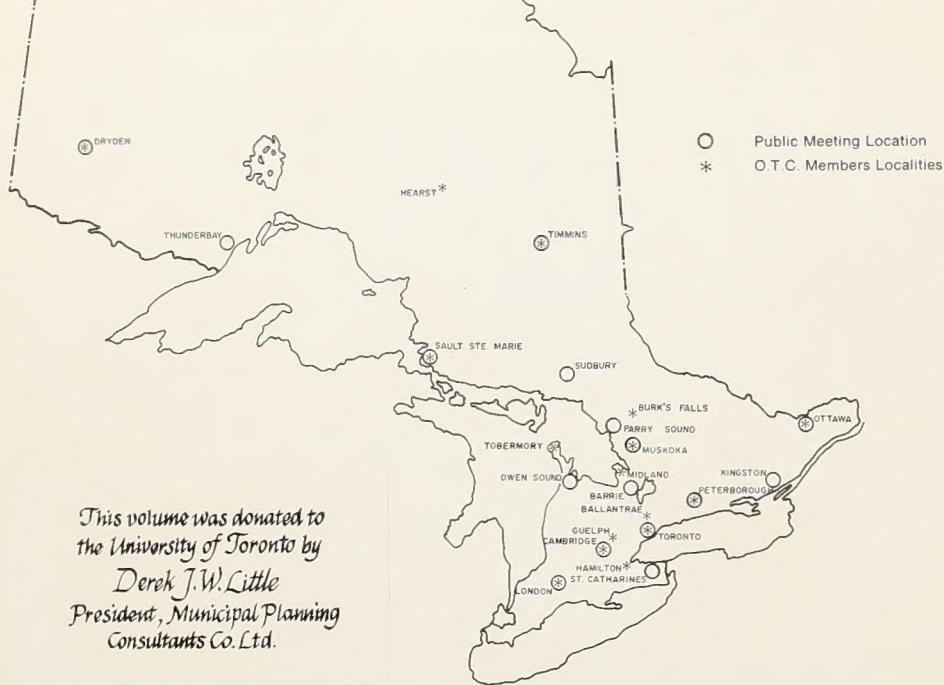


# Ontario Trails Council

final report

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# Ontario Trails Council Final Report

MUNICIPAL PLANNING  
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Photographs courtesy of Ken Buck, Norm Hawirko, John Milne, Janet Wright, Ed Mickiewicz and Cycle Canada.



### Ontario Trails Council

Standing left to right: Mike Naughton, J.P. Johnstone, Ron Jones, Larry Bastedo, Bill Gowans, Norm Mason, Leonard Steele (retired from Council December, 1976), Henry Graupner, Ray Comeau, Bill Coates, Bev Jobbins, Paul Godin, Ray Bishop and Ron Johnstone. Seated, left to right: Diane Luhta, Dick Saville and Mavis McCallum.

## Chairman's letter to the Ontario Minister of Natural Resources

Dear Mr. Miller:

I am pleased to submit this Final Report on behalf of The Ontario Trails Council. It contains our recommendations to the Government of Ontario for the implementation of a provincial trails program and, along with the Interim Report, provides a record of the work of the Council over our two-year term of office. The investigation of the status of trails recreation in the Province, meeting trail users throughout the Province on a personal basis, discussion with your field staff about management problems, and the debate of the major policy issues involved in trails recreation has proven to be a stimulating and challenging experience.

The benefits of a comprehensive trail recreation program to the people of Ontario are broad and varied. It will meet the demonstrated needs and interests of hundreds of thousands of enthusiastic trail users throughout the Province. The opportunity to extend and expand public recreation opportunities on private lands can provide a major public benefit at minimal public cost. This benefit will be of interest to our provincial treasurer. The health and fitness values of many trail activities are well known and extend into the field of preventive medicine.

Trail recreation contributes significantly to public education in terms of improving environmental awareness and sensitivity to natural systems. Extension

and support of recreation trails can provide significant economic gain to the private sector through increased requirements for supplementary goods and services to trail users. Cultural benefits may accrue through the preservation of historic settlement and trade routes, the encouragement of traditional modes of travel such as canoeing and snowshoeing, which played such an important part in the early development of the Province, and through access to many of our remote, scenic landscapes.

Much of the necessary resource base for such a program is already available. Thousands of miles of trails, of many different types, exist formally and informally on both public and private lands. The self-help approach to volunteer action, individuals working on their own behalf through clubs and associations, is well established. Many landowners have demonstrated interest and support. The extensive experience of your Ministry staff throughout the Province is available for administrative purposes. A vast supply of off-road opportunities already exists in Northern Ontario, in the form of canoe routes, mining exploration and timber roads, which need only formalized protection to be established as a provincial recreation resource.

Trail users, in cooperation with landowners and your field staff, have accomplished a great deal so far,



but the full potential of a comprehensive trails program can never be realized until certain major problems are overcome. Solutions to these problems lie beyond present government policy and self-help action. These problems include: provision of long-term route stability within a pattern of rapidly changing land uses, encouragement of the public use of private lands without loss of landowner rights, development of trail-use ethics consistent with protection of natural resources and property rights, provision of equality of opportunity for all types of trail users, gathering of basic planning information on current trail use and location, and achievement of a balance between single-use trails for purity of experience and multiple-use trails for minimum cost. There is an overriding need for a single, comprehensive, program to overcome these problems.

This program must include aspects of policy, legislation, funding and implementation with administration, intragovernmental coordination, public education, information distribution, and revision of current policies relating to Provincial Parks, Conservation Authority lands and Crown lands.

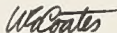
Trail recreationists of all types exist by the hundreds of thousands throughout the province: northerners and southerners, rural and urban people — from small towns and major cities alike. They are ready and waiting to work cooperatively within a provincial program, a program which only the Government of Ontario can formulate, implement and support.

The future of trail recreation in this Province now rests with the members of the Ontario Legislature. The Trails Council has examined the present situation, found the problems which block continued growth, and has investigated current legislation and regulations. This report recommends the necessary government action. We feel that our recommendations are realistic, appropriate, specific to the problems at hand, inexpensive in terms of benefits to be accrued to the people of Ontario, and worthy of your most serious

consideration. On behalf of the trail users of Ontario we respectfully request that you and your cabinet colleagues act positively on these recommendations at the earliest possible opportunity.

It has been a privilege to serve on the Ontario Trails Council and for all members of the Council I thank you for the opportunity to have been of service to the people of this Province.

Very truly yours,



W.E. Coates,  
Chairman

August 31, 1977

## Acknowledgement

The growth and development of trail recreation in Ontario would not have been possible without the contributions in human energy and resources of three groups: the trail builders and users, the landowners, and government staff. Without the long-term efforts, donation of space and place, and sympathetic administrative support of these individuals, organizations and agencies, our present recreation trails would never have developed to the current extent.

To the citizen trail builders and users must go the primary recognition for their buoyant enthusiasm, deep personal commitment, and endless hours of planning, discussions with landowners, clearing, preparation of maps and guide books, and maintenance. These are the people who, individually and through their clubs and associations, have developed the majority of our recreational trails, particularly those on private land. They have maintained them; they have demonstrated the validity of self-help; they have found a way to provide a new type of public recreation resource at low cost on private land, and have freely shared the results of their work with the public at large. They have helped the Trails Council immeasurably by sharing their experience with us, identifying problems, recommending practical solutions and reminding us of the great values and benefits — physical, social and sensory — of trail recreation.

Landowners have generously, and largely without financial compensation, provided access to their lands for public use. Some of them are trail users themselves but many are simply sympathetic contributors to a facility for use by others. Some have found their generosity abused by littering, destruction of property and theft by ignorant and unprincipled trail users. Some have found their traditional property rights threatened

and face loss of "quiet enjoyment" as well as limitation of full use of lands adjoining trails. All are faced with the spectre of liability for injury sustained by trail users on their properties.

Government employees have worked with trail clubs and landowners, within the confines of existing land-use policies, to create trails on public lands. They have administered an interim Winter Trails Program within an imperfect policy framework. They have supported canoeists with route descriptions and portage maintenance. They have provided certain types of recreational trails in some Provincial Parks. They have furnished technical information to the Trails Council on local conditions, past problems and future opportunities. They have given us invaluable administrative assistance with organization of our public meetings, communication with trail user groups, and publication of our newsletter "Trail Blazing" and our Interim Report.

Special recognition must go to a few, among the many Ministry of Natural Resources personnel who participated in the work of the Trails Council: The Honourable Frank S. Miller, Minister of Natural Resources, The Honourable Leo Bernier, Minister of Northern Affairs (former Minister of Natural Resources), Dr. Keith Reynolds, Deputy Minister of Natural Resources, Mr. Lloyd Eckel, Executive Director, Division of Parks, Mr. James Keenan, Executive Director, Division of Lands, (former Executive Director, Division of Parks), Mr. Ron Vrancart, Director of the Parks Planning Branch, and the following people from the Parks Planning Branch: Mr. Robert Milton, Supervisor of Park Systems Planning, Ms. Paula Neice, Trails Coordinator, Mr. Ed. Mickiewicz, Executive Secretary and Ms. Marie Naumoff, Secretary.





## Why trails?

Trails have existed since animals first moved from one feeding ground to another. Following game trails, man's pathways have evolved over the centuries to accommodate skis, horses, wheeled vehicles, and finally paved lanes of high speed vehicle traffic. Waterways have traditionally provided man with some of his most important access routes and travel corridors.

In many countries, where mechanization was more slowly established than in North America, traditional trails and footpaths have been maintained. These are enjoyed still, not only by local residents but by vacationing North Americans who travel to these countries for unusual walking and skiing holidays.

What is the universal attraction of these simple tracks throughout lakes and countryside? Every individual trail user in Ontario — and there are possibly two million of them — will give an individual answer. There is never just one single reason, but the common denominator is the desire for "contact with the outdoors". Trail activities take one away from daily routine, for fresh air and exercise in natural surroundings. They give the individual a physical challenge to test his skill against time, distance or new terrain.

Different trail activities meet various recreational aims and interests. Snowmobilers venture out into the winter cold to enjoy a season that has kept many people indoors in the past. The club atmosphere fostered by the activity is sociable and, along with the thrill of mechanized movement, forms a major component of snowmobiling. The cross-country skier may venture into the forest alone, to experience the silence of snow falling far from sound of civilization and to glide softly along a remote track.

*"Basically most hikers are after an aesthetic experience. The quiet of the woods, fields or marshes, the subtle sounds of wildlife, the shades of colour on wildflowers and moss enhanced by filtered sunlight, the quiet reflection from a pond, or the happy sound of a brook — these are the things that make hiking worthwhile."*

The hiker wants to slow down and observe everything at a human pace. He feels free moving over the land with no limitation and no conveyance other than his own two feet. The canoeist is adventuring, exploring wilderness and following ancient routes dictated by geography. The trail biker is testing his perception, reflexes and honed skills as he moves over difficult terrain experiencing the outdoors with mechanical advantage. Horse and rider constantly renew one of mankind's earliest partnerships in tranquil, low-speed travel over narrow scenic tracks.

They are all looking for different experiences; they are all looking for similar surroundings to enjoy them in.

In terms of recreational opportunities in Ontario, trails activities deserve solid support. They encourage physical fitness and mental hygiene, they are available to all income levels, and indeed there can be trails geared to all fitness levels, giving the aged, the handicapped, and the underprivileged inner-city children all a chance to flex their muscles in fresh air.

Trails activities foster an awareness and appreciation of natural environment, and offer fine learning experiences to those using them. Movement by foot, canoe, horseback and snowshoe along fur-trade routes, settlement roads and mining exploration trails can preserve our Ontario heritage by acting as a link with the past. Many remote historic sites, particularly in the northern part of the Province, are not accessible in any other way. Appreciation of many of our most scenic landscapes and unusual natural features is best through low-speed trail access that fully integrates the viewer with his surroundings.

The social value of group activity in planning and maintaining trails, as well as enjoyment of group outings, provides a positive aspect of community involvement for many trail users. Trails can be enjoyed for a few hours or a few weeks at a time. They offer new vacation possibilities which could bolster tourism significantly in depressed regions of the Province.



# Recommendations

Having identified and considered the problems and aspirations of trail users and others affected by trail activities in Ontario, the Ontario Trails Council recommends the following

## Civil liability

The foremost impediment to broader recreational trail use and development in Ontario is the current responsibility, before the law, of the landowner or occupier towards people, invited or trespassing, on his property.

1. **THE GOVERNMENT OF ONTARIO** should enact legislation respecting occupier's liability immediately. A model for such legislation is offered in Appendix 2
2. **TRAIL CLUBS AND ORGANIZATIONS** charging a user fee should confer on the payee the duty of care owed an invitee. This duty of care is not transferred to the landowner who allows the use of his land at no charge

## Ontario Trails Program

Briefs, correspondence and public hearings showed the Ontario Trails Council that public interest is high throughout the Province in a wide variety of trail activities

3. **THE MINISTRY OF NATURAL RESOURCES** should establish and coordinate an Ontario Trails Program consisting of the following activities:
  - a) provision of trail recreation opportunities for bicycling, canoeing, cross-country skiing, four wheeling, hiking, horseback riding, snowmobiling, snowshoeing, trail biking, vita parcoure
  - b) planning and design of individual trails

- c) development and construction of individual trails
- d) promotion of trail route stability
- e) trail maintenance
- f) user education
- g) enforcement of trail regulations
- h) user contact through an on-going Trails Advisory Council

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## **THE MINISTER OF NATURAL RESOURCES**

should consider the major requirements of various trails users, as cited below, in determining the fiscal policy and priorities of the Ontario Trails Program. All trail activities: accessibility to appropriate public lands; system of trails for day use, weekend and extended trips; identification of one coordinating government ministry, central information source, educational program, uniform signage. Bicycling: designated routes and safety provisions; Canoeing: protection of access, portages and present routes; route rating for proficiency level required, Cross country skiing: support facilities, construction and trail maintenance assistance; designation of single purpose trails, Four wheeling: designated areas and trails, Hiking: securing of hiking trail routes and designation of single purpose trails, where appropriate, Horseback riding: provision for more trails and protection of existing trails, Snowmobiling: trail maintenance assistance and legislative changes, Trail biking: provision for more trails and protection of existing trails; Vita parcoure: provision of fitness trails; Landowners: liability protection, property damage

compensation, incentives, right to designate trail siting, no dilution of property rights, a standard legal trail access agreement, a new Petty Trespass Act declaring all unauthorized entry as trespass Conservation Authorities funding for trail maintenance and construction

- 5 **THE GOVERNMENT OF ONTARIO** should provide, support and organize the staff of the Ministry of Natural Resources as necessary to implement the Ontario Trails Program

## Legislation

- 6 **THE GOVERNMENT OF ONTARIO** should enact new legislation, the Ontario Trails Act, incorporating all present trail-related legislation except the Petty Trespass Act. This legislation will provide for:
- a) the delineation of a trails system,
  - b) the development of land-use agreements,
  - c) the enforcement of trail regulations,
  - d) the establishment of an on-going advisory council
- The Ontario Trails Act should permit the Lieutenant Governor in Council to regulate
- e) funding for clubs and associations to participate in the trails program,
  - f) requirements for clubs and associations to participate in the trails program,
  - g) the use of trail access agreements
- The Ontario Trails Act should enable the Ministry of Natural Resources to:
- h) enter into agreement with trail clubs and associations for the purposes of educating trail users, and of developing and maintaining some public trails;
  - i) negotiate with landowners for trail rights-of-way or for access to provincial public trails,
  - j) to enter into agreement with private entrepre-

neurs for the purpose of providing trails or trail-related facilities complementary to the Ontario Trails Program

- 7 **THE MINISTER OF NATURAL RESOURCES** should introduce legislation delegating to local clubs the responsibility of patrolling their sections of trail to ensure that only authorized users are on the trail, and to control any abuses
- 8 **THE ATTORNEY GENERAL'S OFFICE** should revise the Petty Trespass Act to increase the penalty for trespass and to place the responsibility on the trail user to demonstrate he has permission to be on the property concerned. Such permission may be written permission from the landowner or positive entry signs at points of access designating allowed trail use or uses

## Management responsibilities

Trail needs to date have been met largely through the cooperation of landowners and by the efforts of private trail user clubs working on their own behalf and for the benefit of the public. This self-help should be encouraged and supported in the future, with the provincial government undertaking those responsibilities and functions which trail clubs cannot execute

- 9 **TRAIL CLUBS** should continue to plan, design, develop and maintain individual trails on the self-help basis. They should be permitted to arrange land-use agreements with landowners, promote route stability, and assist with enforcement of trail regulations. They should also take responsibility for user education among their own members. Incorporation of clubs and associations as non-profit organizations is recommended for the protection of club members and directors. This can be accomplished at low cost
10. **THE MINISTRY OF NATURAL RESOURCES**, through its District and Regional Offices, should

encourage regional trail councils to form on a volunteer basis, where sufficient interest in a variety of trail activities warrants. These local councils would discuss conflicts and matters of common concern, make recommendations for funding, and generally provide a balanced view of the trail needs and problems in the regions for the Ministry. The **MINISTRY OF NATURAL RESOURCES** should provide secretarial help and a resource person to assist these regional councils.

11. **TRAILS ASSOCIATIONS** should provide a communication link between their component clubs and the Ministry of Natural Resources through the Trails Advisory Council and local councils with respect to the implementation and operation of the Trails Program. They should also be responsible for the user education within their component clubs.
12. **THE MINISTER OF NATURAL RESOURCES** should establish an on-going Trails Advisory Council, separate from the Provincial Parks Council, composed of appointees as necessary to advise him on Trails Program functions and to coordinate common policy and province-wide concerns among trail associations. The Trails Advisory Council would
  - a) advise the Minister on policy concerning recreational trails in Ontario as the need arises,
  - b) study and make recommendations to the Minister concerning the level of financial support required from time to time for the Ontario Trails Program,
  - c) recommend the allocation of public funding made available for the Ontario Trails Program, and when requested by the Minister, to advise the Minister concerning proposals for such funding,
  - d) obtain and evaluate information on any matter concerning recreational trails from members of the public who are not members of or represented by trail clubs and associations;



- e) consult with and receive reports from individual trail users, trail clubs, provincial trail associations, trail activity-related associations, other levels of government and government agencies and commercial enterprises, concerning policy matters related to the Ontario Trails Program;
- f) study means of implementation of the Ontario Trails Program, and make recommendations accordingly,
- g) study and make recommendations concerning any regulations which define, extend, modify and promulgate policy which may be made under any provincial statutes concerning recreational trails,
- h) coordinate provincial trail associations representing different trail activities, in policy matters of common concern,
  - i) report annually to the Minister on the functioning of the Ontario Trails Program



- 13 **THE MINISTRY OF NATURAL RESOURCES** should coordinate and direct the Trails Program in liaison with the various agencies at the various levels of government dealing with trail development, provide technical advice to trail builders, promote route stability, develop and administer a program of land-owner incentives, develop standard mapping and signage systems, disseminate information about the Trails Program to the general public, undertake user education for the general public, and enforce trail regulations
- 14 **LOCAL GOVERNMENTS** should continue to help coordinate trails activities within their jurisdictions. They could facilitate the implementation of the Ontario Trails Program by planning for, developing, constructing and operating recreational trails in cooperation with individuals, local trail clubs,

provincial trail associations, trail activity-related associations and the Ministry of Natural Resources

- 15 **CONSERVATION AUTHORITIES** should continue to be responsible for the development and maintenance of outdoor recreation trails in the areas under their ownership
- 16 **THE MINISTRY OF INDUSTRY AND TOURISM** should encourage private enterprise to provide commercial recreational trail opportunities and related facilities where a demand for such activities exists. Any grants or loans for such commercial development must come from funds separate from those set aside for the Ontario Trails Program
- 17 **THE MINISTRY OF NATURAL RESOURCES** should facilitate the construction and operation of trail-related concessions on public recreational lands



## Long-term planning

- 18 **THE MINISTRY OF NATURAL RESOURCES** should undertake research appropriate to on-going trails planning and management. Such studies would include, among others
- a) a complete provincial trail inventory showing length of trail, location, user category or categories, and level of use;
  - b) a census of trail users and clubs by location, types of trail activities engaged in, frequency, landowner concerns, means of meeting these concerns, and incentives to make private land available for public recreation use,
  - c) environmental impact of recreational trail activities;
  - d) economic impact of recreational trail activities
- 19 **THE MINISTRY OF NATURAL RESOURCES** should undertake a five-year review of the Ontario Trails Council recommendations for a trails program

## Human resources

- 20 **THE MINISTRY OF NATURAL RESOURCES** should consult experienced trail users, clubs, agriculturalists and resource managers for technical expertise in the design, layout and land-use impact of recreational trails
- 21 **THE MINISTRY OF NATURAL RESOURCES** should encourage capable people, such as prospectors and timber cruisers, who are travelling a desired wilderness route to blaze trails
- 22 **THE GOVERNMENT OF ONTARIO** should set certification and identify certifying bodies for wilderness tour leaders for various trail activities

## Land resources

- 23 **THE MINISTRY OF NATURAL RESOURCES** should expand the Provincial Parks Program to provide the widest possible range of trail oppor-

tunities and support facilities within appropriate classes of Provincial Parks to relieve the existing shortage of opportunities for bicycling, horseback riding, trail biking, snowmobiling and four wheel driving within the parks system.

- 24 **THE MINISTRY OF NATURAL RESOURCES** should recognize the long-distance needs of trail users and provide staging areas with appropriate support facilities within Provincial Parks and Conservation Areas adjacent to permanent long-distance trails
- 25 **THE MINISTRY OF NATURAL RESOURCES**, in conjunction with consenting landowners, should expand its Agreement Forest Program to allow for and encourage the development of public recreational trails where a demand has been identified, and where such development does not conflict with the timber management of the area.
26. **THE MINISTRY OF NATURAL RESOURCES** should expand its Provincial Wildlife Areas Program to allow for and encourage the development of such recognized public recreational trails as do not conflict with the wildlife management of these areas
27. **THE MINISTRY OF NATURAL RESOURCES** should expand its present agreements with landowners of Woodlot Improvement Areas and Wildlife Extension Areas, providing an optional clause which would open these land areas for specified public recreation trails with the agreement of the landowner
- 28 **THE MINISTRY OF NATURAL RESOURCES** should evaluate the rights-of-way of scenic municipal and regional roads for suitability as resources for trails. Although such roads serve vehicular traffic, the Ministry could encourage municipalities, townships and the Ministry of Transportation and Communications to preserve these special corridors in as natural a state as possible. "Improvements" such as cutting back vegetation, widening, and straightening curves

- are to be avoided to preserve the natural, rural character of such roads
- 29 **THE MINISTRY OF TRANSPORTATION AND COMMUNICATION** should allow suitable recreational use of major road allowances and provincial highways when such use can be safely accommodated. Where necessary, appropriate road allowances could form linkages for long-distance recreational trails
- 30 **ONTARIO HYDRO** should allow suitable recreational trail use of transmission line corridors owned by Ontario Hydro, providing such trail use would not be detrimental to the operation and maintenance of the transmission lines, nor in conflict with existing licences and agreements running with the corridor
- 31 **THE MINISTRY OF NATURAL RESOURCES** should conduct inventories and evaluate unused open road allowances, abandoned railroad rights-of-way, and utility corridors. Those with exceptional recreational potential should be incorporated into an overall trails plan, where not in conflict with agriculture
- 32 **THE MINISTRY OF NATURAL RESOURCES** should encourage municipalities to designate suitable road allowances as recreation corridors in their official plans
- 33 **THE MINISTRY OF HOUSING** should design a model by-law to be used by municipalities to ensure the dedication of such road allowances for recreational trail use
- 34 **THE ONTARIO TRAILS PROGRAM** should minimize as much as possible the use of productive agricultural land, by such means as locating treadways on the border of productive fields
- 35 **THE MINISTRY OF NATURAL RESOURCES** should designate ecologically sensitive areas which should be protected against degradation through surface traffic and the adverse impacts of trail recreation. Such sensitive areas would be identified as non-trail areas under the Ontario Trails Program

- 36 **THE GOVERNMENT OF ONTARIO** should enact legislation empowering the appropriate ministry or agency to regulate the use of unalienated public lands by trail activity groups. Such legislations would require TRAILS CLUBS to obtain written permission from the Ministry of Natural Resources District Offices to develop trails on Crown land. The authorization would specify location and trail activities permitted. Trail users who are engaged in activities not permitted on the trail would be guilty of trespassing and subject to prosecution by local police forces

### Trail stability

- 37 **THE MINISTRY OF NATURAL RESOURCES** should establish a system of classifying trails according to urgency of need for stable route alignment. Criteria for classification would include proximity to developed areas, relative regional importance, previous investment of time and money by the trail development agency, etc. Both multiple and exclusive-use trails would be classified
- 38 **THE MINISTRY OF NATURAL RESOURCES** should establish a reasonable degree of permanence for historically significant trails, well-known long-established trails and major water routes, and for subsidiary linkage trails necessary to connect such permanent trails into a long-distance network
- 39 **THE MINISTER OF NATURAL RESOURCES** should revise the Provincial Parks Act to include a Provincial Trail Classification. This class of park would encourage all forms of recreational trail activities, and would ensure permanency of trail alignment. Funds should be allocated for the acquisition of provincial trail corridors
- 40 **THE MINISTER OF NATURAL RESOURCES** should add sections to the Provincial Parks Act,

allowing complete river systems to be designated as parks with appropriate protections. Further, the existing Public Lands Act should be enforced to protect access, portages and campsites along established canoe routes.

- 41 **THE MINISTRY OF NATURAL RESOURCES** should protect canoeing rivers and lake systems from the adverse environmental and visual impacts of resource development and extraction programs. All such navigable lakes, rivers and portages should be screened from resource development activities.
- 42 **THE MINISTRY OF NATURAL RESOURCES** should establish trail rights-of-way which would run with the Crown land administered by the Ministry of Natural Resources in the northern and central recreational regions of Ontario. These trails would be registered with the District Offices of the Ministry of Natural Resources, and recorded on local Ministry of Natural Resources maps. Further protection may be given to the trails by use of restrictive zoning, where the Minister may designate use and withhold patent rights for competing activities, e.g. mining exploration or timber licenses.
- 43 **THE MINISTRY OF NATURAL RESOURCES** should grant long term land-use permits for trails, to protect the investment made in their preparation. Land-use permits for trails would not be affected by land-use permits given for forestry operations.
- 44 **MUNICIPALITIES** should recognize the demand for recreation trails in official plans and encourage their development on land with no agricultural or other development potential. Trails would be a permitted use within agriculture and timberland zoning designations. Trail siting guidelines relative to residential and agricultural zoning should be included in local official plans. Local governments should consider forgoing taxes and other local levies to encourage the establishment of recreational trails on private lands.



45. The solicitors of the **MINISTRY OF NATURAL RESOURCES** should develop, in cooperation with the Ministry of Transportation and Communications, the Ontario Federation of Agriculture, major resource industry landowners, and the Trails Advisory Council, a standard "Trail Use Agreement" document for recreational trails sited on patent lands. This document would be available on request. Guidelines for its contents are given in Appendix 5.

- 46 THE MINISTRY OF NATURAL RESOURCES should develop a private landowner incentive program to encourage landowners to allow public trail use of their lands. It would emphasize that continued use of a recreational trail on private property will not dilute the landowner's title, and rights to his property. Monetary benefits, where required, would be commensurate with the actual contribution made to the trail system by the individual landowner. These may include any combination of the following:
- a) Leasing,
  - b) Development of unused road allowances,
  - c) Negotiated easements that run with the land and allow for compensation to the landowner,
  - d) Designation of use by the landowner,
  - e) Terminal landowner agreements, where the landowner receives a degree of compensation;
  - f) Purchase of land at or below market value, with a concomitant tax relief concession, the qualification running with the title,
  - g) Tax incentives, using a designated easement which would run with the land; tax relief given in perpetuity,
  - h) Gifts of land and easements through the Ontario Heritage Foundation,
  - i) Options to purchase at a future date and at an agreed price,
  - j) Purchase and lease back, where established use continues with the trail use having preference,
  - k) Buying on the open market and reselling the unused portions on the open market,
  - l) Expanding or changing the uses of Crown land, expanding the concept of licence or occupation, land-use permits and specified leases to allow clubs and others the use of linear trails for specified periods,
  - m) Trading land, where productive land may be traded for less productive land.

- 47 THE GOVERNMENT OF ONTARIO should establish a Trail-Use Compensation Fund for agricultural and other landowners. This fund would be administered by the Ontario Ministry of Agriculture and Food and other appropriate agencies, and would pay damages to landowners who suffer loss or property damages resulting from activities directly attributed to the use or misuse of a public recreation trail. Compensable losses would include damage to or disappearance of fences, buildings, machinery and crops, and death or injury to livestock. Compensation would only be payable on that portion of loss where no other form of insurance or compensation is collectable.

## Funding

As the number of trail users increases it becomes more and more difficult for club volunteers to establish and maintain trails and their related facilities for public use without some support through public funding. It is vital that the clubs continue to be actively involved with planning, development and maintenance of trails. Club members can and will voluntarily provide technical expertise, knowledge and labor. The Ontario Trails Council believes that the best way to continue club involvement without destroying initiative, is by providing public funds in the form of grants.

- 48 THE GOVERNMENT OF ONTARIO should provide annual funding from Consolidated Revenue for an Ontario Trails Program on a basis of not less than one dollar per Ontario resident. Funds would be available on a cost-sharing basis, on a sliding scale. Disbursement of the funds would be on a district basis according to need as assessed by the Ministry of Natural Resources and the organization implementing a trail plan.
49. Wherever practical and possible TRAIL USERS should pay a daily or annual fee for the use of trails and special trail-related facilities provided within



public recreational areas. Trail clubs or associations in receipt of public funds for trail development and/or trail maintenance should be permitted to charge non-members a user fee.

- 50 **THE MINISTRY OF NATURAL RESOURCES** should, upon request by trail clubs, provide a set percentage of the costs for acquisition of rights-of-way, maintenance, and for construction of major capital works on public trails such as shelters, parking lots, bridges, highway crossings, and the like within the overall funding structure of the Ontario

Trails Program

- 51 **THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should provide the design expertise required for trail crossings over or under provincial highways, and should arrange for construction of such facilities. Where a new highway will cross an existing trail, the **MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should construct and pay for a safe crossing to accommodate the users of that trail.

- 52 **THE MINISTRY OF NATURAL RESOURCES**

should recognize the Conservation Authorities and municipalities as agencies eligible for trail funding according to their individual policies regarding the types of trails to be undertaken by them

- 53 **THE MINISTRY OF NATURAL RESOURCES** should appoint a liaison officer on its staff to monitor trails funding at the various government levels, to ensure equitable and effective distribution of public funds
- 54 **THE GOVERNMENT OF ONTARIO** should create an independent agency, The Ontario Trails Foundation, with initial financial support from the Government to cover administrative "starting up" costs. The Foundation would solicit and receive donations of land, facilities and money to supplement general Trails Program funding by Government. The Trails Foundation would set funding priorities and establish methods of disbursing the donations gathered, considering the input of trail users. A donor could, of course, designate the use of his donation
- 55 **THE ONTARIO TRAILS FOUNDATION** should design methods by which trail users and clubs could contribute to the financial support of an Ontario Trails Program.
- 56 **THE MINISTRY OF NATURAL RESOURCES** should design and produce a decal, pin, badge or similar insignia for Ontario Trail users. These items would be sold by trails clubs, and they would use the revenue used for the support of the Ontario Trails Program

## User information

### Trail Marking

57. **THE MINISTRY OF NATURAL RESOURCES**, in cooperation with the Trails Advisory Council and the Ministry of Transportation and Communications should develop standard trail marking and signage systems employing a positive entry concept (i.e.

designating allowed rather than prohibited uses) for use on public trails to regulate, caution and direct traffic. These signs would be available to approved trail clubs

The trail organizations would

- make a deposit commensurate with the quantity of signs required,
- be required to return these signs to the Government of Ontario upon dissolution, or forfeit the deposit

### Trail mapping

- 58 **THE MINISTRY OF NATURAL RESOURCES**, in cooperation with the trail user groups should develop standard trail mapping systems employing trail classification by designated use and rating by degree of difficulty
- 59 **THE MINISTRY OF NATURAL RESOURCES** should produce Ontario Trails and Canoe Route maps, upon request from provincial trail associations. The Ministry of Natural Resources District Offices, parks staff, and local recognized trail and route user groups would contribute needed information for the mapping. The finished maps would be sold to the user public at a rate sufficient to cover costs of production
- 60 **THE GOVERNMENT OF ONTARIO** should provide the required funds for the development of trail marking and mapping systems

## Safety

- 61 **THE MINISTRY OF NATURAL RESOURCES** should require formal approval for the installation of bubblers and de-icing machines. Approval would depend in part on compliance with the requirement that adequate warnings be posted by the operator to caution the general public travelling on the ice. **THE MINISTRY OF NATURAL RESOURCES** would charge a yearly provincial fee for this approval. **THE DISTRICT OFFICES OF THE MINISTRY OF**





**NATURAL RESOURCES** would enforce the regulations governing the installation and operation of these contrivances. **THE OWNER** should be required, as a minimum, to barricade the area made unsafe with snow fence and flashing red lights visible from all directions of approach

**62 THE MINISTRY OF NATURAL RESOURCES**

should make available inexpensive electronic or visual signaling devices on lease or loan. All those taking extended wilderness trips should register with Ministry of Natural Resources Offices. Those failing to take advantage of this service would be assessed some part of any necessary search and rescue operation

**Compatibility**

**63 THE MINISTRY OF NATURAL RESOURCES** should recognize the right of the landowner and/or trail organizing agency to designate the use or uses of the trail. Any undesiguated use would constitute trespass

**64 THE MINISTRY OF NATURAL RESOURCES** should encourage multiple use of trails where similarities of alignment, treadway surface, and user safety allow shared use among a number of trail activities, or where opposite season trail use is possible. Some trails should be dedicated to specific, exclusive uses in order to provide the quality of experience sought by the user and to protect groomed treadways

Power and non-power trails uses are deemed incompatible in the same place at the same time with respect to providing each user the optimum quality of recreation experience

**65 THE GOVERNMENT OF ONTARIO** should prepare a comprehensive outdoor recreation policy identifying all existing sport and recreation activities and designating appropriate locations where public recreation opportunities for all these existing activities could be provided

At present, trail biking, four wheeling, horseback riding and snowmobiling are excluded from most Parks and Conservation Authority areas. Because of the growing interest in these activities, Provincial Parks Services and Conservation Authorities should provide appropriate areas for them



## Special trail requirements

Most of the concerns expressed to the Council by trail users were common to many or all trail activities, and these principles are covered in the foregoing recommendations. However, there are some requirements peculiar to specific trail activities, and these are answered in the following recommendations. Information on the needs and concerns of the various trail user groups is found in the section entitled "Major Issues"

### Bicycling

- 66 **THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should allocate a proportion of its annual budget to provide separate bicycle lanes, or paved shoulders for cyclists' use, on provincial highways selected by the **MINISTRY OF NATURAL RESOURCES** within the Ontario Trails Program
- 67 **MUNICIPALITIES** should be encouraged to provide connections between urban or municipal bikeways and rural bicycle routes, and should be encouraged to establish separate bicycle lanes on certain municipal roads in accordance with local needs
- 68 **BICYCLING GROUPS** should select desirable routes for touring, and document their length, difficulty, facilities available for cyclists, etc.
- 69 **THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should provide signage for these routes and for interprovincial bikeways in cooperation with municipalities, interested cyclists and government agencies.
- 70 **THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should identify these routes on present Ontario highway maps.
- 71 **THE MINISTRY OF INDUSTRY AND TOURISM** should publish and distribute the route information assembled by the cycling clubs

- 72 **THE MINISTRY OF INDUSTRY AND TOURISM** should actively publicize the bicycling routes of Ontario and encourage the enroute innkeepers to provide facilities for travelling cyclists

### Canoeing

- 73. **THE MINISTRY OF NATURAL RESOURCES** should launch a program of land acquisition and management for campsites, portages and access points on Southern Ontario lakes and rivers to make them available for canoeing, while at the same time recognizing the priority of agricultural land
- 74 **THE MINISTRY OF NATURAL RESOURCES** should accompany canoeing programs with public education on the dangers of canoeing on flood-swollen rivers
- 75 **THE MINISTRY OF NATURAL RESOURCES** should provide map and route descriptions, including skill levels required to canoe any given waterways. The 1-5 skill rating scale developed by the Canadian Recreational Canoeing Association would be applied. White water would be further identified, using the 1-9 rating scale of the Canadian White Water Affiliate. Maps and route descriptions in the Canadian Recreational Canoeing Association's Categories 4 and 5 should not be publicized or distributed to the general public, for the safety of inexperienced canoeists

### Cross-Country Skiing

- 76 **THE MINISTRY OF NATURAL RESOURCES** should provide opportunities for trails and their related facilities suitable for all classifications of cross-country skiers from beginner through long distance tourer to competitive skier

- 77 **THE ONTARIO TRAILS PROGRAM** should recognize cross-country skiing as a family-oriented activity and encourage trail clubs and park planners at the provincial and municipal levels to provide facilities suitable for children, such as short loop trails, warm shelters and toilets

#### Four Wheeling

- 78 **THE MINISTRY OF NATURAL RESOURCES** should keep routes through public lands open for recreational vehicle access wherever possible

#### Hiking

- 79 **THE ONTARIO TRAILS PROGRAM** should recognize the hiker as the exclusive or primary recreational user of trails established by hikers
80. **THE MINISTRY OF NATURAL RESOURCES** should initiate a program within the Ontario Trails Program, to acquire trail rights-of-way which would make trails established by hiking trail clubs available to the public for hiking and other compatible designated uses, in perpetuity, or for long periods. The program would be funded through the Ontario Trails Program, or other appropriate sources. The MINISTRY should seek the advice of representatives of the hiking activity group in determining which trail rights-of-way would be stabilized under this program

#### Horseback Riding

- 81 **THE MINISTRY OF NATURAL RESOURCES** should recognize the wide-spread interest in horseback riding in the Province and the present lack of trails and facilities for the horse and rider, and should assist equestrian associations and clubs in developing and providing equestrian trails and trail-related facilities suited to the horse and rider for day use, weekend and extended vacation trips.

- 82 **THE ONTARIO TRAILS PROGRAM** should recognize equestrians as the exclusive or primary recreational users of the existing trail corridors developed by equestrians for horseback riding on public lands and rights-of-way

#### Motorized Snow Vehicle Driving

83. The solicitors of the **MINISTRY OF TRANSPORTATION AND COMMUNICATIONS** should amend the Motorized Snow Vehicles Act 1974 and its regulations as outlined in Appendix 3.
- 84 **THE MINISTRY OF NATURAL RESOURCES** should provide funding for motorized snow vehicle trails on a cost-sharing and sliding-scale basis to be developed by the Ministry and the Ontario Federation of Snowmobile Clubs. A formula is given in Appendix 6

#### Snowshoeing

85. **THE MINISTRY OF NATURAL RESOURCES** should establish formal blazed trails as well as general mapped routes. Branches on trails would be identified as to the destination and direction. Signage should be at a height suitable for year-round use
- 86 **THE MINISTRY OF NATURAL RESOURCES** should post warnings on multi-use trails to warn of possible hazards involved.
- 87 **THE MINISTRY OF NATURAL RESOURCES** should require snowshoers travelling on Crown land and overnighting in the bush to register with the nearest Ministry of Natural Resources District Office

#### Trail Biking

- 88 **THE MINISTRY OF NATURAL RESOURCES** should encourage Conservation Authorities, Municipalities and other agencies to cooperate with trail bike clubs to provide land areas for trail bike use in accordance with demonstrated local needs



89. **THE MINISTRY OF NATURAL RESOURCES** should establish a series of large trail bike scramble areas, to be linked by a network of trails for travel from one to the other

**Vita Parcour**

90. **THE GOVERNMENT OF ONTARIO** should urge all

regional governments and municipalities, Conservation Authorities, and educational institutions to

- a) develop and construct vita parcour trails in appropriate municipal parks;
- b) publicize the benefits of their use,
- c) avail themselves of all possible federal and provincial funding to assist in the construction of these fitness trails

## Present trails situation

Urbanization in Southern Ontario has had a detrimental effect on the availability of recreation trail opportunities. Much of the trail resource formerly available to a smaller population has been lost. With the great majority of the land divided up among hundreds of thousands of private landowners, it is very difficult to establish new rights-of-way. The current vogue for 'executive estate' developments is further aggravating the problem.

The most stable recreational trails we have are in Provincial Parks, Conservation Areas and on unalienated Crown Land, far from the urban centres where the greatest demand — and possibly the greatest psychological/sociological need — exists.

No comprehensive inventory of the current trail resources of the Province exists. The Council has attempted to compile the best available figures in the accompanying table to give an overview of trail users and trails in Ontario.

The number of trail users has been drawn from the Ontario Recreation Survey. It includes those who participated at least once in the listed activity during a 12-month period of 1973-74, based on a population of 6,150,000. Since then the population of Ontario has grown by 33 per cent, and the numbers of participants will have increased by at least that much. It is safe to say that most trail activities have increased significantly in popularity since the Survey was made. Cross-country skiing is probably the most obvious example, the Southern Ontario Division of the Canadian Ski Association reported 400,000 cross-country skiers in Ontario in 1977, as opposed to the 184,000 reported in the Ontario Recreation Survey.

Many trail enthusiasts enjoy more than one trail activity. Hikers, for instance may bicycle and cross-country ski or snowshoe as well. This overlapping or multiple participation is reflected in the totals for number of trail users and percentage of Ontario population participating.

No figures were available on *vita parcoure* participants and facilities.

Discovering how many miles of trail exist in Ontario at present was difficult. The independence with which trail organizations have worked has made it impossible to keep track of exactly how much trail has been developed and where. Trail clubs are often reluctant to make maps of their routes public, anticipating crowding and maintenance problems. Many small trails clubs are informally organized and do not have maps of their trails. Some trails have evolved without club support and are known only to a few users locally. Trail bike groups frequently are reluctant to identify their trails for fear of adverse public response and snowmobile trails may change yearly. Sometimes a landowner's consent for access to his property is contingent on its being used only by the club he knows, and for this reason some trail locations must be kept private.

The figures given in the table are based on information provided by trails organizations and the Provincial Government. The data were far from complete and gaps were filled by calculations based on the best figures available to the Trails Council.

Many of the trails extant in Ontario serve for more than one type of trail activity. However, the table lists them according to the users by whom or for whom the trails were created.



## Trail resources in Ontario

ACTIVITY	Number of Clubs	Number of trail users	% of Ontario Population	Miles of trail (by primary use)					
				MNR	Provincial Parks	Self-help	Other	Total	Per 1000 Users
Recreational Bicycling	32	1,960,000	31.9	—	8	—	(100) <sup>a</sup>	108	0.06
Canoeing	10	1,005,000	16.4	12,758	2,826	—	—	15,584 <sup>b</sup>	15.51
Cross-country Skiing	95	184,000	3.0	400	215	(500)	—	(1,115)	0.06
Horseback riding	111	647,000	10.6	—	15	(500)	—	(515)	(0.8)
Four wheeling	18	1,000 <sup>c</sup>	—	0 <sup>d</sup>	0	—	—	—	—
Hiking	22	1,463,000	23.8	—	473	(2,000)	—	(1,473)	1.69
Snowmobiling	530	1,108,000	18.0	7,500	222	22,300	—	40,022	27.10
Snowshoeing	1	268,000	4.4	—	38	—	—	38	0.14
Trail biking	47	273,000	4.4	0	0	(250)	—	(250)	0.92
Totals	856	6,909,000	112.4	20,658	3,797	25,300	100	50,115	—
<p>a) Parentheses indicate an estimate, where no recorded information was available</p> <p>b) All but 998 miles of canoe route are in Northern Ontario</p> <p>c) This figure represents club estimates for four wheelers</p> <p>d) Four wheel drive vehicles use roads, such as logging tracks, on Crown land in as far as they are open to their use</p> <p>e) A national organization</p>									

The table indicates a shortage of publicly-provided trails for bicycling, horseback riding, snowshoeing and trail biking. Snowmobiles and canoes are relatively well provided for, although the canoe routes are concentrated in Northern Ontario.

### The trail user

The Ontario Recreation Survey of 1973-74 has gathered information on participants in various recreational pursuits including several trail activities. Some very general observations can be made: for most recreational activities, the difference in the participation rate between the sexes is less than that between the highest and lowest age categories, although the

participation rate is usually higher for males than for females.

Trail activities, with the exception of snowmobiling, have a very strong appeal for university graduates. Those with a grade 9 to 13 education are also attracted to trail recreation, with the exception of cross-country skiing. The biggest group to trail users is made up of 12 to 19 year-olds. The decline in participation with years appears relatively the same among all trail activities. For 12 to 34 year-olds, the largest annual incidence of participation falls within bicycling, for the 35 to 49 age group, recreational snowmobiling, hiking and bicycling are most popular. The 50 to 64 age group participates more in hiking and cross-country skiing than any other trail activity, and for those over 65,



participation is minimal, except for male hikers

Managerial, technical and sales people generally participate more in recreational activities than others. The service, farming and clerical sectors have low participation rates.

### Frequency of Participation

In general terms, it can be stated that many people bicycle and bicycle quite frequently. Not many people (as of 1973-74) participate in cross-country skiing and snowshoeing, and those who do, participate only 5.8 times a year. Hiking, horseback riding and snowmobiling are participated in by relatively few people (compared with other recreational activities) but those who do participate do so very frequently. Hiking is the only trail activity which is done with increased frequency by older people than by younger people.

Frequency of participation increases with an increase in household income. Participants from rural areas and small towns have the highest occasions per capita for snowmobiling, hiking and horseback riding. Communities over 500,000 (Toronto) have the lowest occasions per capita for bicycling, hiking, horseback riding and snowmobiling.

More research into trail resources and the people who use them is needed to plan and develop an effective trails program in Ontario.

### Trail clubs and associations

We owe most of our trails resources to the ingenuity, perseverance and hard work of trails clubs and associations. These are the keen participants, the ones who will invest time, money and physical and mental effort in the creation of trails. Many trail users, however, enjoy the fruits of these labours without contributing — they do not bother to join clubs.

Some of the well-known trails developed on the self-help basis are impressive indeed. The Bruce Trail, following the Niagara Escarpment for over 430 miles, is internationally known. The Ganaraska Trail, another hiking trail, crosses from Port Hope to Collingwood, a distance of 350 miles. About 75 per cent of the trail is complete. Unfortunately, the trail builders have had to route these trails along public roads over much of the distance traversed because of difficulties getting

permission for access to private property.

Equestrians have developed the 400-mile Great Pine Ridge trail system along the height of land from the Trent River to the Niagara Escarpment, utilizing public lands linked by scenic road and utility rights-of-way

On a more local scale, snowmobilers, cross-country skiers, hikers and trail bikers throughout the Province have laid out networks of trails for their own recreation. Trail development has often failed to keep pace with growth in the number of users, however. A sad result for cross-country skiers, for instance, has been the loss of some trails which have served them for 20 years. With the rapid growth in numbers of skiers, environmental damage and loss of privacy has forced private landowners to withdraw rights of access to their properties

There are a number of umbrella associations which help local clubs. These include the Federation of Ontario Hiking Trail Associations, Ontario Trail Riders Association, Ontario Federation of Snowmobile Clubs, Federation of Ontario Cross-Country Skiers, Ontario Bicycling Coalition, Ontario Region of the Canadian Motorcycle Association, Canoe Ontario and others. It is important to note that many individual trail clubs choose not to be affiliated with these larger associations

## Trail abuse

Problems of overuse and misuse of trails have cropped up in several areas. Certain sections of the Bruce Trail have become such an attraction that large numbers of hikers overload roadside parking areas and threaten to destroy the very experiences of solitude and contact with nature which they seek. Crowding on winter trails destroys groomed surfaces very quickly

Many landowners seem to be willing to accommodate small numbers of local trail users. When

the weekend trickle of local people turns into a flood of strangers, the relationship changes, and the landowner's privacy is eroded

Heavy user concentration near road access points are very common with negligible use levels in remote areas midway between access points. Trails near road access points sometimes become rustic drinking spots for people with no real interest in trail use. Trampling, litter and irritation result. Unauthorized camping on private land adjoining trails has been reported repeatedly. Such activity not only causes environmental degradation but constitutes a severe fire hazard in certain periods of the year.

Reports of missing hikers on the Bruce Peninsula have increased significantly of late and burden the local authorities with a great deal of time spent in search and rescue operations

These problems all tend to suggest future management policies which would limit numbers of users, require club membership, licensing or a similar indication of commitment and awareness to ensure responsible behavior and proven outdoor capability. In cases where damage is willful, and behavior wantonly irresponsible, more stringent measures are required. A second approach to the overuse problem is the provision of additional facilities

Man has always had to cope with the situation where a few spoil things for the majority. Briefs presented to the Council indicate that society has not become resigned to this. Trail enthusiasts, police officers, landowners and other citizens expressed frustration with the problem of irresponsible trail users. They complained that either the courts had no mechanisms or no will to deal with trespassing and vandalism. These may appear to be petty offences, but if unhindered by the law they may become a license for the minority to behave badly, and take precedence over the rights of the majority to be protected from such behavior

The Council has recommended changes in the Petty Trespass Act, and feels that existing laws protecting the rights of all citizens must be vigorously enforced

### **Economic impact of trail activities**

All trail activities contribute to the provincial economy. Some keep more dollars circulating than others. Equipment purchases or rentals are required, ranging from just a sturdy pair of boots to investments in snowmobiles and trailers, from snowshoes to costly four wheel drive vehicles. People are employed in the manufacture, import, distribution and maintenance of this equipment.

Most trail users spend money on food and accommodation, and transportation to the trail head. Depending on the popularity of an activity, and its climatic and topographic requirements, various trail activities can contribute to local tourist economics.

In an attempt to quantify the impact trails activities have on the provincial economy, a preliminary investigation was carried out by the Ministry of Natural Resources Park Planning Branch.

In some cases, good economic reports were available. For most activities, however, the figures which could be located were on diverse aspects of the sport, were of varying dependability, and of varying applicability to trails use. Often no economic information was to be found. The following section is an appraisal of the expenditures made by various trail user groups, from which an educated estimate of the total probable economic contribution made by trail users can be projected.

### **Bicycling**

There are some 2,500,000 bicycles in Ontario, and this figure is expected to grow. Forecasts indicate that at least 40 per cent of the population will have bicycles by 1980. The cost of a bicycle ranges between \$50 and

\$1,200. Considerable employment is generated in importing, assembling, manufacturing, wholesaling and retailing these machines. While bicycles are not characterized by a high cost of upkeep, a service industry does exist even in modest-sized communities.

If each of the estimated 1,960,000 recreational bicyclists in Ontario were to spend \$25 per year on repairs and pro-rated replacement cost, the direct bicycle expenditure would be \$49,000,000 per year.

Should bicycle touring be encouraged, it is likely that cyclists would spend \$15 a day on food and lodging in rural communities along scenic back roads.

### **Cross-Country Skiing**

According to projections made by the Canadian Ski Association, Ontario will have between 700,000 and 1,000,000 cross-country skiers by 1981. The boom in cross-country skiing has stimulated a domestic manufacturing industry, and has provided employment for importers, wholesalers, and retailers. An equipment investment of \$170 to \$450 is required every three to four years.

If the 400,000 reported cross-country skiers were to spend \$25 per year on equipment replacement and supplies, the direct ski expenditure would be \$10,000,000 per year. Supplemental expenditures on food, lodging and transportation associated with cross-country skiing could be expected.

The Ministry of Industry and Tourism lists 114 resorts in Ontario offering cross-country skiing. Resort areas are further enriched by the winterization

### **Horseback Riding**

The Ontario horse population is estimated to be over 250,000, with the majority probably used for recreational riding and competitive events. The Ontario Trail Riders Association represents over 4,000 trail riders in the Province.

Most horses are privately owned. The initial investment in a horse is \$600 to \$2,200, additional

revenue goes to breeding farms, trainers and tack manufacturers, importers and retailers. A further \$900 to \$1,600 is paid annually for feed, shelter, blacksmithing and veterinary services.

If horse owners each were to spend \$500 per year in maintenance and replacement costs on each of the estimated 250,000 horses, the direct equestrian expenditure would be \$125,000,000 per year. It is not possible to determine what portion of this would be directly related to trail riding and what portion to other equestrian related activities.

The Province has 373 licenced riding stables with an estimated 9,250 horses for hire. The \$5 to \$10 an hour charged for the use of these animals amounts to \$9,000,000 dollars a year, even for a modest level of use during the summer months only.

The entire horse industry could benefit significantly from additional trails for horseback riding.

#### **Motorized Snow Vehicle Driving**

An estimated \$100,000,000 was spent by snowmobilers on this sport in 1974-75 as reported by The Ontario Federation of Snowmobile Clubs. The Ontario Snowmobile Distributors Association estimates that 8,000 persons are directly employed at the distribution level for snowmobiles in Ontario. In addition, there are those who supply accessories and parts, and who service the machines.

Snowmobilers also spend money on travel, trails, winterizing cottages, and at resorts. Some resorts which were once scraping by on summer business are flourishing with snowmobiling clientele in the winter.

Lastly, snowmobilers contribute directly to the provincial coffers through their validation fees, estimated at about \$1,550,000 by the Ontario Snowmobile Distributors Association for 1975.

#### **Trail Biking**

In 1976 there were an estimated 25,000 trail bikes in Ontario. Ownership requires an additional investment of

\$1,350 to \$1,585 for equipment, plus \$215 in annual maintenance expenses.

Considerable employment is generated in distributing, retailing and servicing these vehicles. If 25,000 trail bike owners each spent \$500 per year in operating, maintenance and replacement costs, the direct trail bike expenditures would be \$12,500,000 per year.

#### **Others**

Similar estimates for canoeing, hiking, snowshoeing and four-wheeling could not be produced due to lack of information on numbers of participants and estimated amount of yearly expenditure. It must be emphasized that the estimates given for bicycling, cross-country skiing, horseback riding, motorized snow vehicle driving and trail biking, are estimates only, based on limited statistical information and should be considered as "indications" or "opinions" rather than statements of fact. They are an initial attempt to assess a previously unexplored aspect of outdoor recreation.

These incomplete figures can only begin to indicate the influence trails activities have on the provincial economy at present. Development of additional trails could be expected to increase total user expenditure significantly.

The significance of these figures varies with individual socio-economic points of view. The economic benefit of "investment intensive" recreational pursuits must be balanced with the social benefits of low investment/low maintenance/low consumption activities, which are economically accessible to a wider section of the population.

#### **Government response to growing interest in trails**

A few municipalities have responded to the interest in cycling and created safe and enjoyable bicycle paths for their citizens. These include Toronto, Windsor and Peterborough. Kitchener is planning them. The National

*\* The landowner's remuneration has to be in the fact that the satisfaction of being a public benefactor has to outweigh the liabilities.*

Capital Commission's bicycle routes in Ottawa are widely known and well used

Conservation Authorities are providing hiking and cross-country skiing trails in many of their Conservation Areas. This has been one of the main local trail resources in Southern Ontario.

The Ministry of Natural Resources has been responsive to the growing interest in trail-oriented recreation, and has established hiking trails in many Provincial Parks. Cross-country skiing, canoeing and snowshoeing are accommodated as well. Short interpretive trails in parks and conservation areas often provide limited hiking opportunities. There are no public bicycle trails and few snowshoe trails as such sponsored by the Ministry of Natural Resources at present.

The interim Winter Trails Programs offered by the Ministry of Natural Resources have given financial and technical help to snowmobilers and cross-country skiers for trail grooming and maintenance. The Ministry of Culture and Recreation has provided aid when necessary to improve the cross-country ski trails and facilities in areas that have held the Ontario Winter Games.

Our extensive system of northern canoe routes is a heritage of the Department of Lands and Forests era, when these routes were essential for exploring and documenting the resources of Northern Ontario.

Recognizing that these initial efforts could not meet the increased recreational demand of a large public newly interested in trail activities, the Ministry of Natural Resources organized a Trails Symposium in June of 1973, and a result of public input at this symposium was the appointment of the Ontario Trails Council in the summer of 1975. A Symposium sponsored by the Ontario Trails Council was held in June, 1977. The outcome of these government initiatives is this report, containing recommendations for a comprehensive recreational trails program for Ontario. Government action to implement these recommendations would seem



a logical extension of previously demonstrated interest and support

## Current legislation

Provincial responsibility for trails is not designated under any single program. There are a number of provincial acts which affect trails activities. The most obvious is The Motorized Snow Vehicles Act, part of which deals with recreational use of snowmobiles. This legislation deals with landowner liability; the landowner owes no duty of care towards a person who is driving or riding on a motorized snow vehicle, as a trespasser or licensee, except the duty not to create a danger with the deliberate intent of doing harm.

The Public Lands Act provides for the protection of historic canoe portages, though it is frequently not being enforced to the fullest extent.

A crucial legislative change, which would extend the landowner's exemption from duty of care to all trail recreation activities, is currently under consideration by the Attorney General of the Province of Ontario. The purpose of this change is to remove the possibility of cooperating landowners being sued for injury or death to trail users.

## What's happening elsewhere

Volunteer efforts have been a major impetus to trails development across Canada. Except for National Parks, the extent of trail development in a given province seems to depend to a large extent on the zeal of trail users.

Most provinces provide hiking and cross-country skiing in Provincial Parks. Many have snowmobile programs, often with grants-in-aid available to clubs or municipalities. A particularly comprehensive example is found in Quebec.

Quebec has formalized the agreement process through legislation for snowmobile trails. There the use of private property has been facilitated for approved

snowmobile clubs through the development of a standard "Transfer of Right-of-Way" agreement by the Government of Quebec. This contract absolves landowners of liability towards people using their property. No monetary consideration is paid to the landowner. However, snowmobile clubs are required to carry \$100,000 in liability insurance and meet certain other criteria before the clubs and their trails are approved by the provincial government.

All snowmobilers who use such club trails are required by law to sign an "Obligations Attaching to the Use of a Trail" form, in which they renounce any claims and accept responsibility for possible damages. Non-members are legally required to pay a daily user fee to a club for the use of its trails, and/or to purchase an annual pass to use government trails.

Some \$500,000 to \$1,000,000 is granted annually to approved snowmobile clubs by the Quebec government. As a result of this system, the Province has more than 31,000 miles of public snowmobile trails.

To date none of the provinces has a comprehensive trails program, although the Outdoor Recreation Council of British Columbia is concerned about preservation of that province's trails, rivers and shorelines. Its objectives are to promote comprehensive legislation and to encourage public participation in trail and river recreation.

The Government of Alberta is looking at means to preserve access corridors between the city and the countryside — a progressive attempt to bring demand and resources together. Bicycling is encouraged in the province, with a noteworthy \$4,300,000 recreational/functional bicycle path program in Calgary.

To the south of us, a landmark piece of federal legislation was passed in 1968 called The National Trails Systems Act. This legislation can be used to protect trail rights-of-way throughout the United States. Common corridor widths are 200 feet, but there is a



move to increase this to 1,000 feet where the quality of trail experience on national trails is suffering from adjacent development

Many states have trail acts, and at least 15 states have adopted legal statutes with specific liability clauses relieving the landowner or occupant of responsibility towards recreationists on his land. Waivers of occupier's responsibility, such as the Quebec snowmobile legislation provides for, have not stood up well in American courts

Trails programs for snowmobiling are funded by the taxes on snowmobile gasoline and/or registration fees in several states. These funds are made available to snowmobile clubs through the counties in which they operate

Utah's public lands are open, by law to "responsible vehicle use except where just and reasonable cause" for closing them can be demonstrated

Minnesota supplies \$1,000,000 to \$1,500,000 per year for snowmobiling, paying 65 per cent of trail costs to counties. Trail clubs cover the rest. This state's program for other trail activities is also comprehensive, with extensive trail networks blazed throughout.

Recent evaluation of publicly supported snowmobile programs in the United States has shown a trend to corridors 20 to 60 feet wide rather than the narrower trails currently used in Ontario. High increases in cost of maintenance equipment are anticipated, but administrators generally agree current programs represent good recreation value for funds expended. On the other hand, three states, Wisconsin, Michigan and New Hampshire have decided not to expand their snowmobile programs due to indications that the number and use of snowmobiles has levelled off. They are also concerned about increasing capital and labor costs for their programs.

There are some 25,000 miles of bikeways in the United States. Eighteen states have the mandate to

fund special bicycle facilities, and Oregon has developed an exemplary formula for cycling. Not less than one per cent of state highway funds is appropriated annually for the construction of bicycle and pedestrian paths

## The Ontario Trails Council

The Ontario Trails Council was appointed by the Lieutenant Governor through an Order in Council and began work in September of 1975. Its members were enthusiastic trail users and outdoor recreationists, representing a wide range of trail activities, from all parts of the Province. Ancillary interests such as Conservation Authorities, rural and urban landowners and municipalities were represented as well

The Council was given two years to

- gather public viewpoints on trail recreation activities,
- identify areas of needed research,
- study the existing legislation and identify needed changes,
- draw up a planning framework for a provincial trails system,
- recommend means by which a trails system could be implemented

The term of the Council expired on August 31, 1977

### Ontario Trails Council Members

William Coates, chairman, consulting landscape architect and environmental planner, from Guelph. Participates in hiking, cross-country skiing and bicycling. Formerly owned a saddle horse

Norman Mason, vice-chairman, school principal and reeve of the Village of Burk's Falls. Enjoys trail biking, snowmobiling and cross-country skiing

Lawrence Bastedo, motorcycle distributor from Hamilton and a past director of the Canadian Motorcycle Association. Knowledgeable about trail bike trail systems planning.

Raymond Bishop, an insulation engineering

specialist for General Electric in Peterborough  
Chairman of the Otonabee Region Conservation  
Authority, and a Municipal councillor.

Raymond Comeau, owns and operates a motel at  
Hearst, belongs to the local snowmobile club and  
cross-country ski club, laying out and grooming miles  
of trail each year

Paul Godin, Ottawa businessman, interested in  
sports medicine and physical fitness programs

William Gowans, employee of Algoma Steel at  
Sault Ste Marie; snowmobiler, cross-country skier, and  
general outdoor enthusiast

Henry Graupner, a management consultant from  
Cambridge; past president of the Federation of Ontario  
Hiking Trail Associations

Beverley Jobbins, a Bell Canada employee at Port  
Carling, was the founding president of the Port Carling  
Snowmobile Club Inc. and is a director of the Ontario  
Federation of Snowmobile Clubs. Also participates in  
canoeing and cross-country skiing

J.P. Johnstone, farmer and resort operator from  
Tobermory; a municipal politician and member of the  
Niagara Escarpment Commission. Laid out much of the  
Bruce Trail on the Bruce Peninsula

Ron Johnstone, a resident of London, operates  
Camp White Bear for Youths at Temagami, a past  
president of Canoe Ontario and currently president of  
the Canadian Recreational Canoeing Association

Ron Jones, a farmer from Simcoe County, and a  
director of the Ontario Federation of Agriculture

Diane Luhta, a teacher from Schumacher, founding  
member and director of the Porcupine Ski Runners  
member of the Canadian Association of Nordic Ski  
Instructors. Also enjoys canoeing

Mavis McCallum, a Toronto florist living in  
Ballantrae. A founding director of the Ontario Trail  
Riders Association and a member of the Canadian  
Horse Council. Helped create the Great Pine Ridge  
Trail



Michael Naughton, electrical engineer from Toronto, past president of the Federation of Ontario Cross-Country Skiers, president and founder of the Five Winds Cross-Country Ski Touring Club

Morrise (Dick) Saville, past president of the Dryden Snowmobile Club, involved in the construction business in Dryden. A long-time canoeist and outdoorsman

Leonard Steele left the Province and the Council in December 1976. Until then, represented cyclists as managing director of Urban Bikeways Inc. in Toronto

#### How the Council worked

For two years the Council met every six weeks in a different region of the Province (see map, page 00, for locations of public hearings). The first evening in each community was devoted to a public hearing at which briefs on behalf of the local trail interests were presented to the Council. These hearings were extremely well attended, usually drawing between 60 and 250 people. Over 350 briefs were received from the various trails users, landowners, tourism associations, Conservation Authorities and others affected by trail activities. A complete list of the briefs presented or sent to the Council appears in Appendix 1.

The ensuing days of each meeting were spent discussing the briefs, investigating local trails problems with Ministry of Natural Resources staff representatives, reviewing background information, considering the issues identified, and proposing recommendations to meet the concerns of the public. Each of the major issues was assigned to a committee composed of Council members for intensive study. These committees were responsible for drafting related resolutions for Council action.

Whenever possible, a trails activity session was worked into the schedule so that everyone on Council benefited from personal experience with the complete range of trail activities.

A newsletter, "Trail Blazing", was sent to a wide

variety of public agencies and libraries. Those who submitted briefs, and those who expressed an interest in the work of the Council, through attendance at public meetings and correspondence, also received the newsletter. Issues under consideration, excerpts from briefs, announcements of forthcoming public meetings, lists of briefs submitted, and other items of interest to trail users, clubs, landowners and government agencies were covered in the publication.

#### Parameters

The following trail activities were identified by the Council as lying within the scope of its concerns:

- a) bicycling
- b) canoeing
- c) cross-country skiing
- d) four wheeling (four wheel drive vehicles)
- e) hiking
- f) horseback riding
- g) snowmobiling
- h) snowshoeing
- i) trail biking
- j) *vita* parcour

Briefs from representatives of other activities such as orienteering, and a Pleasure Driving (horse-drawn vehicles) Association were received by the Council. These were considered by the Council but not included as trail activities. Orienteering is not trail oriented and pleasure driving is very uncommon. Similarly, submissions on dog sledding were considered but not included because the sport appears to be solely competition oriented. Descriptions of sled driving suggest that a groomed snowmobile track would be an ideal sled trail.

#### Definitions adopted by the Council for trail criteria

Trail — a route used for recreational activities which involve movement in a linear and/or loop manner and providing a quality of experience which is



*Council business meeting in Kingston, May 31, 1977*

most desired by the user

Trail Activities — include bicycling, canoeing, cross-country skiing, four wheeling, hiking, horseback riding, snowmobiling, snowshoeing, trail biking and vita parcours

Private Trail — a trail to which access for its intended use or uses is limited to the members, or to specified classes of members, of a trail club or other organization

Public Trail — a trail accessible to all members of the public for its intended use or uses, whether or not established and maintained wholly or in part by public

funds, and whether or not a fee is charged

Trail Club — a non-profit organization which includes among its objectives and which actively carries out one or more of the following functions

- a) the development and construction of recreational trail facilities in a specific locality or region of the Province or following a specific physical feature,
  - b) the maintenance and operation of such recreational facilities;
  - c) the provision of organized opportunities for recreational trail use and activities ancillary thereto
- Provincial Trail Association — a non-profit

*The recent rapid growth of motorbikes and motorcycles. This is the most urgently needed trail type in population centres. Many sensitive valley areas are being ruined by scrambling.*

organization in which are associated or federated all or most of the trail clubs in the Province engaging in a common trail activity or activities, includes in its objectives, and is actively engaged in one or more of the following

- a) the coordination of activities of the member trail clubs,
- b) provision of advisory, technical and support services to the member trail clubs concerning one or more specific trail activities,
- c) representation of the member trail clubs in matters of common concern and policy;
- d) direct liaison with the agency designated to co-ordinate the Ontario Trails Program.

Trails Activity-related Association — an organization which either

- a) combines persons, organizations and commercial enterprises, who cater or provide goods and services to persons engaged in one or more trail activities, or to their clubs or provincial trail associations, or
- b) has objectives which involve the use, conservation or study of natural resources and environment

Trails Program — is to consist of three principal components:

- a) the trails system,
  - b) resources such as manpower, technical information, land base, funds required to activate the system and to maintain it;
  - c) mechanism for the rational allocation and utilization of the resources to achieve the objectives of the Trails Program, including policies, legislation, delivery agents, programs for action.
- Objectives of the Trails Program are
- a) the provision of a sufficient number of satisfactory

use opportunities throughout the Province to meet user demands in all trail activities, now and in the future,

- b) the maintenance of existing trails, in terms of construction and continuity,
  - c) the extension of existing trails,
  - d) the development of new trails,
  - e) the provision of long distance off-road travel opportunities to add a new outdoor recreation source and to boost the local tourist industry
- Trails System — comprises all types of trails; those

which are

- a) private and public,
- b) all user categories, single use and multiple use,
- c) on private land and on public land;
- d) constructed by individuals, trail clubs or associations, and by government or quasi-governmental agencies,
- e) those of provincial, regional and local significance;
- f) those with historical, cultural, natural themes,
- g) linear, those joined in a network, and looped;
- h) corridors and treadways,
- i) urban, rural and wilderness;
- j) seasonal, all year, permanent,
- k) long distance and day use;
- l) designated and non-designated as to type of use,
- m) water and land

In some instances, the use of trail vehicles or equipment as defined by the Ontario Trails Council does not constitute a trail activity for the purposes of the Ontario Trails Council, such as use of a snowmobile as transportation on a trap line. When such equipment is not used recreationally, it does not fall into the terms of reference of the Ontario Trails Council but this does not exempt the non-recreational users from existing laws when using a trail.



*Courtesy Bicycling tour, Ottawa, October 5, 1976*

*Bicycle lanes could follow the practice adopted in London, England and be shared with public transport services."*

## Major issues

From the briefs presented, the Council was able to identify a number of major issues, problems of common concern to all trail users. Committees were given responsibility for studying each of these and preparing recommendations aimed at solving the problems.

This section presents the committee reports on each of the issues identified, plus committee reports on the special needs expressed by the various trail user groups.

### Occupier's liability relief

The Ontario Trails Council recognized early in its deliberations that clarifying the liability relationship between the trail user and the landowner was of prime importance.

At present, the landowner can be held responsible for injuries incurred on his property, even if the injured party is a trespasser. This has understandably made landowners wary of granting access to their property for trail use, and has made it difficult for trail clubs to establish trails.

Briefs from every section of the Province, from every trail activity, and from landowners both large and small cited this issue as a main concern. It is important to limit the landowner's liability:

- a) towards persons entering his land who may be injured,
- b) towards property which may be damaged by people entering on the land,
- c) towards persons injuring one another while on private land.

The Council looked at the problem from several angles. The briefs presented at the public meetings were listened to and noted. Acts from other jurisdictions in Canada as well as the United States were studied.

Resource personnel representing both the legal and insurance aspects of the question were consulted.

The product of the Council's deliberations is to suggest that the Ontario Government:

- a) formulate and present to the Ontario Legislature a Liability Relief Act as found in Appendix 2, which would place the majority of the responsibility for liability on the trail user and remove it from the landowner;
- b) that this act be separate from any other act;
- c) that this act be passed without delay,
- d) that this act contain the necessary definitions, and be written in such a manner as to encourage willing landowners to participate in a trails program.

Once such a Liability Relief Act is passed, it should be publicized. An information package explaining the implications of the statute for landowners and trail users should be designed, produced and distributed to trail clubs, major landowners and members of the Ontario Federation of Agriculture. Further coverage could be achieved by advertising the information package and making it available to the public upon request.

### Landowner concerns

Most farm businesses represent substantial investments of capital — investments already susceptible to adverse impacts of weather, international markets and other influences beyond the control of the farmer. Briefs presented to the Council have described specific losses actually inflicted on agricultural and other landowners by trail users: cut fences, tractor tires punctured by bottles tossed into a field, trampling, serious fire damage, and theft of property.





Even so, during the public hearings only a few landowners opposed trail development outright. A number of requirements for better landowner cooperation were identified, however.

Landowners must continue to have every right to choose for themselves how far they may wish to contribute to trails recreation, if at all. The liability issue mentioned earlier must be resolved, and the landowner's legal position, in terms of the implications of continued trail use on their ownership rights and occupancy status, must be clarified. The latter point was raised in a number of briefs.

The changing technology of farming and trend to large acreages mean it is no longer necessary or even possible to physically occupy a premises. Concerns about trespassing and property damage naturally increase under these conditions. Landowners need assurances that trails would not be used as access to areas where recreational activity could cause financial loss to them or endanger trespassing visitors.

Two measures would help: first, the trails should be patrolled and trespassers actively prosecuted; second, a compensation fund should be established to reimburse farmers and other landowners for damage inflicted on their properties by trail users.

In many briefs from trail users, trail stability was identified as a major concern. However, in no case had a trail interest group attempted to stabilize its trails through the mechanism of a formal contract with a payment to the landowner. Many groups did propose a form of cash incentive through a reduction in local taxes for the cooperating landowner.

Compensation for trail rights-of-way was also proposed by private landowners and spokesmen for general farm organizations. On the other hand, some landowners held an enthusiasm for specific trail activities and were prepared to permit their presence at no charge. Considering that land ownership frequently changes, often from a trail-permitting owner to a trail-denying owner, and that a landowner can lose his enthusiasm for a specific trail recreation, it would seem desirable that funds be allocated for a tax relief incentive to help protect the investment the trails organizers make in those portions of trail traversing private land.

Trail development on private lands has occurred on the strength of a wide range of agreements ranging from a handshake or "gentleman's agreement" to a formal written contract prepared by government representatives, as is presently encouraged within the interim Winter Trails Programs for snowmobiling and cross-country skiing. There have been several that appear to stand somewhere in between the informal agreement and the more comprehensive contract. A prudent landowner would naturally wonder about the validity of a contract and would have to seek legal assistance. A standard agreement form, approved and recognized by all interested parties, would expedite trail negotiations.



The status of a recreation trail in relation to other land use becomes critical as land use and development becomes more regulated. Faced with diverse opinions on zoning for specific trail recreation use, the Council has reasoned that, as trails seldom alter the landscape and few if any permanent structures are required, trails do not require a separate zoning designation but can be considered a permitted land-use within agricultural, hazard or other zones.

Numerous relevant pieces of legislation bear on the issue of trail development use. The number and complexity of existing laws and policies become a serious barrier to persons and groups attempting to establish trails. Many unique circumstances in the development and use of recreation trails have evolved since existing legislation was drafted. What is needed is a single new Act embracing all trails-related legislation and regulations.

## Stability

Trail groups frequently invest a great deal of time and effort in contacting landowners for permission to develop trails. When private land over which trails cross changes hands and the new owner closes the trail, this investment is lost. The whole development process for that section of trail must be begun again.

Additional problems arise with major long distance trails. Local clubs can notify their members of changes in alignment on short notice but when people agree to meet at a certain point on a well known public trail according to previously published information and then find the route in that area completely altered, considerable disruption, confusion and delay can result.

Long distance trails, trails of historic importance and other well-known trails which provide a significant recreation resource for the Province as a whole, are the ones in greatest need of long-term stability

To assist in stabilizing trails, the Government of Ontario can undertake a number of programs which will help minimize current dependence on the use of private land, particularly in Southern Ontario.

The Provincial Parks Act should be amended to include a Provincial Trail classification so that important corridors could be acquired for public use. The trails program in Provincial Parks should be expanded to include greater opportunities for bicycling, cross-country skiing, four wheeling, horseback riding, snowmobiling, snowshoeing, and trail biking within appropriate classes of parks.

The Provincial Parks Act should be amended to allow for the designation of complete river systems as Provincial Waterway Parks, and the Public Lands Act enforced to protect portages and enable rights-of-way to run with the land.

It is suggested that the Ministry of Natural Resources expand its present agreement with landowners in the Woodlot Improvement Areas and

Wildlife Extension Areas, providing an optional clause enabling the landowners to open up their land for specified forms of public trails. A variety of forms of compensation must be made available to these consenting landowners for this additional service.

The Provincial Wildlife Areas Program should be expanded to allow for and encourage the development of a variety of public recreational trails where these activities do not conflict with the wildlife management of these areas.

The Agreement Forest Program should be expanded to allow for and encourage the development of a variety of public recreational trails where the development does not conflict with the timber management of the area providing the demand for a specific activity is identified.

In many Public Meetings the Council heard requests that abandoned railway rights-of-way be acquired for trail use. This is not as easy as it might appear, since these fall under both federal and provincial jurisdiction. Considerable study and clarification of the existing law will be necessary. It is suggested that the appropriate Ministry of the Ontario Government initiate discussions to enable the evaluation of abandoned railway rights-of-way, so that those which would lend themselves to recreational trail activity could be acquired. Matters of fencing and weed control in agricultural areas complicate ownership and management of such rights-of-way for recreational purposes.

Stability and permanency mean different things to different people. For instance, the motorized snow vehicle clubs prefer to negotiate with private landowners on an annual basis. Definitions of stability and permanency should be included in the Trials Act.

Those measure which might encourage landowners to contribute land for permanent corridors should be investigated and publicized. Gifts of land to the Heritage Foundation offer succession benefits, for

instance. The Nature Conservancy of Canada also has a land-donor program.

## Compatibility

Significant differences among the various trail activities, with respect to quality of trail alignment and the type of recreation experience sought by trail users indicate that few trail activities are fully compatible with other trail activities.

The principle of multiple-use trails is endorsed generally as a means of providing maximum trail use opportunity at minimum cost. However, this does not resolve the problem of basic conflicts between power and non-power uses or between high-speed uses and low-speed uses. Single purpose trails solve the compatibility problem, provide the optimum quality of user experience and often meet environmental concerns far better than multiple-use trails.

There is little disagreement among trail groups when various types of trail activity are termed incompatible. The arguments arise when one attempts to describe which activities are compatible. Many "compatibility", or more accurately "incompatibility" problems stem from use of a non-power trail by power recreationists. The reverse situation, use of a power trail by non-power users, often causes safety problems but is less likely to cause compatibility conflicts. In many instances the presence of trail bikes and snowmobiles on hiking or cross-country ski trails may be due to a lack of local trails for these power groups. Provision of equal opportunities for all user groups near urban centres will go a long way toward solving the compatibility problem and providing each group with a higher quality experience.

The Council has identified two compatibility principles:

- a) motorized and non-motorized trail uses are not compatible on the same trail at the same time;

- b) similarity of alignment quality for similar rates of travel, such as sight distances, gradients and sharpness of curves, may render a trail suitable for different uses in winter and non-winter periods.

For example, trails set out on Crown lands specifically for snowmobiling may be suitable in the opposite season for hiking, trail bikes, and horseback riding. Trails set out specifically for cross-country skiing might be suitable in the opposite season for hiking, trail bikes, horseback riding and bicycling, depending on quality of trail surface.

Most trail users seem to be looking for a feeling of 'just me and nature' — essentially a solitary experience, or to be enjoyed in small groups, such as family. They would prefer to meet few others on the trail, particularly if others are engaged in different trail activities.

However, certain user groups are receptive to sharing if it will mean any of

- a) guaranteeing the stability of their trail,
- b) no inconvenience to them,
- c) the opportunity for a greater trail network.

## Public education

The conduct of trail users is crucial to a successful trails program. A few inconsiderate and insensitive users can spoil the trail experience for the others by damaging or degrading the environment along the trail, and worse yet, by irritating private landowners to the point of closing their property to any trail use.

To combat this problem, trail users must be educated to accept and follow a set of trail ethics which will ensure maximum enjoyment of the trail experience for all. (A sample code of trail behavior is given in Appendix 4.) The problem of making users aware of these standards, and motivating them to follow such a code must be tackled at many levels.

Normally, the people who join trails clubs are enthusiastic about trails activities and place a high

value on the facilities available to them. Ignorance among these users can be overcome by newsletters and direct personal communication from other club members. Trail club associations can undertake broader awareness-raising programs, introducing new concepts in trail experience (for instance, the province's youth camping program, which is emphasizing environmental consciousness).

The major challenge is to reach the general public - the casual trail users who are not regularly involved in trail activities and organizations. These are often the people whose lack of appreciation and understanding leads to problems with landowners and regular trail users.

As part of the Trails Program, the Council suggests that the Ministry of Natural Resources undertake a trail use education program for the general public.

Such a program should include public service spot announcements on television and radio. Television is the highest impact medium, and reaches the broadest audience. It is easily the most effective means of showing the ideal trail experience and the disruption caused by insensitive abuses.

Articles can be placed in community newspapers. These can be of a general information and education nature, or they can be aimed directly at a particular locality in an attempt to solve regional trail abuses.

Ministry of Natural Resources District Offices might appoint "community relations officers" to speak to groups, show films, and to instruct outdoor education classes in schools. Since young people make up a sizeable proportion of trail users, the schools are an important vehicle for user education.

A "licensing" procedure, which would limit trail use to licence holders might be instituted. Only those who pass a test in proficiency and in sensitivity to user ethics could be issued "licenses". These permits could conceivably be membership cards in accredited trail clubs which would undertake the testing. This would



have the added advantage of requiring all users to contribute materially to trail development and maintenance, and of controlling numbers of users.

The printed leaflet can reach others in the general public. These would be available through the Ministry of Natural Resources, Trails Organizations, and in sporting goods stores.

*Trails can make an enormous contribution to conservation attitudes and the appreciation of nature. At the same time, trail use can produce devastating effects on the very environment which we are enjoying."*

Such a public education program will necessarily promote a better understanding of the environment, ecological sensitivities, and human relations. It might be hoped that land managers, planners and developers might also acquire a more sympathetic understanding of trail activities and be more prepared to cooperate with trail clubs as a result of this public education program

## Trail criteria

A number of measures to make trail use safer and more enjoyable for all concerned were brought to the attention of the Council through public briefs. A standardized system of information and certain basic facilities are the major needs.

In order to cut down on conflicting trail uses, a provincial classification system for trails and routes should be developed by the Government of Ontario, specifying multiple use or exclusive use. In the case of multiple use, the permitted activities would be noted. A rating of the trails' degrees of difficulty should be given. The trails should be further sub-classified as to land ownership and whether the trail is public or private. Those trails which merit permanency of alignment should be appropriately classified for future stabilization.

Route mapping varies in style and quality for the many club-created trails in the Province. A standard system for durable maps should be developed by the Government of Ontario for distribution by the Ministry of Natural Resources. Mapping would be carried out upon request of trails clubs.

A standard system of trail and route signs is also required. These should employ symbols and a "positive entry" concept, that is, designation of permitted uses rather than prohibited uses. The signs should be manufactured for, and distributed by the Government of Ontario.

Suitable access areas with ample parking are

required by all trail users, since distance and the modern level of urbanization makes it nearly impossible to travel from home to the trail head without vehicles. At present, cars are often left on road shoulders, or worse, on private property. In the case of snowmobiles, trail bikes and horses, parking areas must be large enough to accommodate trailers and ample manoeuvring space. Toilets and refuse disposal facilities should be provided as well.

## Funding

Like the other major issues brought before the Council, the question of government funding elicited opposing points of view. Repeated requests for government assistance with trail expenditures from certain clubs were countered with assertions by other trail organizations that no funding was required. It was even suggested that the Government of Ontario should not be spending any money on trails at the present time.

However, the great majority of briefs requested some sort of financial assistance from the Government for securing trail alignment, trail planning, development, construction and maintenance; for equipment and trail facilities such as shelters, toilets and parking lots; for trail markers, signs, maps and other needs.

Volunteer labor, an inexpensive means of providing trails, is available. However, public funds would help the trails groups keep up with the increasing demand for public trails.

Most trails organizations felt the users should pay by some means and the Trails Council supported this principle. There were few specific ideas on how this might be effected, however. Licensing programs are expensive to administer. A validation, or special user permit system would work best if the fees did not go into the Government of Ontario's consolidated revenue but to a trails foundation, so that a direct link between

fees and facilities and privileges would be apparent.

This has been one of the main complaints of motorized snow vehicle drivers. They feel they are already paying for trails through sales taxes and the validation fee for their machines, but they have no guarantee of an equitable return in the form of funding for trail development or maintenance.

Some trail users believe that a user fee should be required only for trails that require a great deal of maintenance. Winter trail maintenance costs to date appear to average about \$100 per mile per season for snowmobile and cross-country ski trails.

Several existing sources of funds are available, such as Canada Works, the interim Winter Trails Assistance Program, federal youth work programs, the Local Initiative Program, Wintario, Heritage Foundation and trail user fees, among others.

Unfortunately, there is no overall coordination among these various sources, and there is no way of knowing if trail clubs are getting a fair share of the total funding available, nor if the various trail clubs applying are getting equivalent treatment.

The Council decided that a system of initiative grants for trail clubs would be the best means of providing trails and improving existing facilities. The method of distribution will have to ensure equitable opportunity for all, will adjust to changing needs and priorities, and will include a checking mechanism to verify that maximum value is obtained for the dollars expended.

#### General Funding Needs

In addition to direct financial assistance to trail clubs, the Council recognizes other areas of a trails program which would require funding. These include the expenses of an on-going trails advisory council, public education programs, enforcement of trail regulations and general administration.



Conservation Authorities all stressed their willingness to provide trails on their lands. They need more substantial funding to do this. Landowners should be encouraged to contribute to the trails program by way of financial incentives and a compensation fund for damages incurred by trail users. Acquisition of key trail corridors will require major investments. All of these requirements will have to be considered in planning the financing of trails programs.





### Funding Philosophy

Funding philosophy can be based on a number of goals. One might be to concentrate funding on those activities which to date have been poorly provided for, such as bicycling, trail biking, snowshoeing and horseback riding. Once these have caught up to a more equitable level, funding priorities would change. Another approach might be to allocate funds in proportion to the amount spent by each group of trail users on their sport. This would work to the disadvantage of low cost activities which promote healthful outdoor recreation that everyone can afford.

The Council suggests that a balance be struck between the stimulation of the economy and the provision of recreational opportunities within the reach of all Ontarians.

### Special requirements of the central and northern recreational areas

The population of the Northern and Central Recreation Area of Ontario (see map) lives in small communities and a few medium sized cities dispersed over a very large area.

There is limited farming near major highways. Private companies engaged in logging or mining own or lease large tracts of land, but the greatest portion of the land belongs to the Crown.

With all of this public land available to a small population, organization of trail users does not have the high priority it has in the southern part of the Province. Consequently, existing local clubs are often not affiliated with large provincial trail organizations. Trail user experiences are most often of an individualistic or small group nature.

Land managers employed by the Government or private enterprise exercise effective control over most of Northern Ontario. The personal preferences of the

land managers have a direct effect on the recreational uses of these lands and as a result, some trail users benefit more than others.

Accordingly the Ontario Trails Council notes the following special concerns and requests of Northern Ontarians:

- a) Trail head facilities should be built to facilitate travel and tourism into wilderness areas,
- b) Traditional wilderness trails and routes should be preserved without regulation,
- c) Abandoned logging and mining roads should be left as is, and not destroyed,
- d) Previously existing routes and trails through leased land shall have prior rights over resource extraction;
- e) Landowners should be encouraged to allow the use of their land by the public for recreational purposes,
- f) Changes in government land-use policy should be thoroughly investigated to determine impact on recreational trail activities prior to implementation,
- g) A system should be set up to monitor commercially organized long distance wilderness trips to protect the aesthetic quality of the trips and the safety of participants,
- h) The Government of Ontario should recognize that some existing trail organizations do not properly represent the northern part of the Province.

### Future requirements

In order to anticipate the future requirements of trail interest groups, landowners and land managers, the Ontario Recreation Survey and the Ontario Recreation Supply Inventory, 1973, as summarized in the table on page 25, may be consulted. Although now outdated and inaccurate, it is the only existing inventory of its kind in Ontario.

This statistical information must be supplemented by the visible growth in the number of people participating in trail activities and in the numbers of

*Most of these (unopened) road allowances are in private use by adjacent land owners, a benefit to the municipality in that weeds are controlled and the land is utilized, rather than wasted. It should be noted that these roads are owned by the people to the township, not the province."*

trails clubs and associations over the past few years. The outstanding attendance at the Ontario Trails Council's public meetings throughout the Province and at the Trails Symposiums in Toronto attests to the significant growth in trail interest since 1973.

A widening gap between demand and supply of trails is evidenced by serious overuse of some trails, and by the proliferation of informal trails on undeveloped land near urban centres. This is particularly acute in Southern Ontario where a large population seeks more and more trail recreation opportunities on a dwindling land resource base.

The trails situation we have today is a result of widespread spontaneous development by groups and individuals working to meet local recreational needs. On the whole, the Council considers the results to be very positive. There are inevitably some problems with such an approach. The volunteers have been unable to keep up on their own with a rising demand for hiking, snowmobiling, horseback riding and cross-country ski trails. At the same time trails for trail biking, *vita parours*, bicycling and four wheeling have been neglected, causing an imbalance in supply among the various trail uses. This has led to highway accidents and incompatible use of non-power trails by power users who do not have local access to trails of their own.

In Provincial Parks and Conservation Areas the situation is no different. The Trails Council was disappointed to find that there is such limited provision made for bicycling, horseback riding, *vita parours*, four wheeling and trail biking in these public areas.

These weaknesses can only be overcome by comprehensive Government planning.

While the Ministry of Natural Resources has been identified by the Trails Council as the logical agency responsible for overall trails policy and development, a great deal of coordination with other ministries will be required. A successful Trails Program will need overall

government policy support.

The Ministry of Transportation and Communications, has an opportunity to contribute to this program with safety features such as highway crossings and bicycle lanes. The Ministry of Industry and Tourism can assist resort operators to set up trail systems, and can further bolster the tourism industry by publicizing such trail resources. The Ministry of Culture and Recreation can help trails groups with problems of organization and establishment. Valuable input for the public education program may also be available from this Ministry. The Ministries of Food and Agriculture, and Health and Welfare may have important roles to play as well with respect to coordination of program objectives with respect to agricultural objectives and with respect to fitness programs.

Since the main threats to both present and future trail resources are conflicting demand for land and rapid development of rural areas throughout Southern Ontario, the Ministry of Housing can contribute significantly by including present and proposed trail corridors in regional plans and by encouraging municipalities to include them in their planning.

Only through advanced planning can an effective trails system be developed in Ontario. The provision of recreation needs, as determined through research into fitness, market and economics, requires the same forethought as the supply of energy and transportation needs.

Existing Provincial Parks, Conservation Areas and various categories of Crown Land could support far more trail activity than they do now. Unfortunately many of these areas are far removed from the major urban concentrations of trail users. These lands should be taken full advantage of, with the initial emphasis being placed on correcting the present inequities of supply.

Further trail resources can be preserved for future generations through acquisition of corridors. While incentives for landowners will augment the trail supply



significantly, many trails on private land will be subject to eventual alteration and closure as landowners exercise their rights to choose whether or not they wish to keep their land open for trail use

The Council has every confidence that the Government of Ontario can respond quickly and effectively to its recommendations. The major issues of landowner liability is nearing resolution through preparation of a draft act. The Ministry of Natural Resources staff is in close contact with trail groups and is familiar with their needs. The Parks Planning Branch has been actively interested in trails for four years now, and has amassed a wealth of information on the subject. Three years of experience with the interim Winter Trails Program have been accumulated as well.

If a permanent Trails Advisory Council is appointed immediately, the valuable dialogue that has been developed between user groups and the Ontario Trails Council will not be interrupted.

*Hiking trails should be located so that they can be used by a large number of citizens and should be accessible by public transportation.*

## Bicycling

It is very difficult to separate bicycle "transportation" use from "recreation" use. However, the Ontario Recreation Survey reported specifically on recreational use of bicycles, and according to the survey an impressive 1,960,000 Ontarians over 12 years of age cycle for pleasure, easily the largest single group of trail activity enthusiasts. Much of the input to the Council was related to the pleasure riding or touring use of the bicycle as a vehicle on public roads.

The cyclists are in an extremely vulnerable position when travelling in conjunction with motorized vehicles. Riders complain not only of indifference on the part of most drivers, but of outright hostility in some cases, with motorists deliberately squeezing them off the road.

What is clearly required is better public awareness of the responsibilities and rights of cyclists and motorists alike. The Ministry of Transportation and Communications should upgrade the drivers' and cyclists' handbooks to this effect, and reinforce the information through public service announcements on television and radio.

The Ontario Cycling Association has researched thousands of miles of scenic country roads. The Ministry of Industry and Tourism has an opportunity to encourage cycle touring of the Province by promoting these routes. Maps and information on routes, services and accommodations should be supplied at cost in response to inquiries.

Cycle touring in the countryside takes advantage of little-used paved country and regional roads. For these, route marking and mapping, and maintenance of a quality surface is all that is required. However, urban escape corridors are needed to reach the country safely and pleasurably, making this recreational opportunity available to families, not just the seasoned and daring cyclists. These corridors would preferably

be quiet routes along river valleys or hydro rights-of-way, but at the very least, should be separate lanes, such as paved shoulders, on arterial roads

It is not usually possible for cycle groups to build their own trails. A hard surface is required, which brings up the expense, and the most needed routes fall in developed areas where access to land is nearly impossible for lay groups to acquire. Because of the speed with which bicycles can travel, long routes are needed

Municipalities can get funding under existing legislation to build roads, portions of which may then be designated for special purposes, such as slow-moving vehicles. However, there are no funds available specifically for bikeways. The Ministry of Transportation and Communications should allocate a specific proportion of its annual road-building budget for bicycle lanes, and encourage municipalities to plan for these facilities. In addition the Ministry should develop standards and necessary legislation for urban bicycle routes

While safety is vital, the accident rate should not be the criterion for providing recreational facilities for an energy-efficient, non-polluting means of transportation, exercise and enjoyment. At the moment cyclists have been all but ignored by public recreation agencies. Recreational bicycle pathways in Provincial Parks and Conservation Authority areas are needed. These could be the goals of scenic rural routes planned by cyclists

## Canoeing

Canoeing is an historic trail activity in Canada. Northern Ontario was opened by the routes that are currently used by our recreationists. Many of the original routes have been lost through the land demands of the increasing Ontario population. Others, also because of population growth, have become overcrowded. Many

canoeists desire a high quality natural experience far from civilization and the infringement of mechanized activity.

Concerns expressed to the Council by canoeists emphasized environmental protection, the steady loss of wilderness, and the fact that canoe trails, unlike trails on land, cannot be rerouted or replaced if they are destroyed or if access is blocked.

The Council considers the protection and perpetuation of access and portage routes crucial to continued canoeing in Ontario. The existing Public Lands Act provides the necessary legislation, but enforcement has been inadequate.

Most waterways in Southern Ontario have been lost to canoeists. Some of these river systems should be reclaimed, for easy access by novice canoeists and day users. River systems in need of protection should be declared Provincial Parks under a revised Provincial Parks Act. Wilderness systems should not be promoted, mapped or described for general public use. These should be preserved as the challenge rivers for experienced canoeists, requiring research, planning and skill. Some monitoring and control measures will be required for all protected waterways to prevent possible deterioration, both through adverse environmental impact and overuse.

Maps and route descriptions, available from the Ministry of Natural Resources, should be clearly rated according to difficulty level. In the interests of user safety the most difficult routes should not be charted for the general public, but be available only to expert canoeists with the necessary experience and skill

## Cross-country skiing

Perhaps one of the most contentious issues brought to the Council's attention was that of compatibility and multiple use of a single treadway. Cross-country ski trails are the most sensitive of all in terms of damage to

the track The quality of ski experience is determined to a great extent by the alignment and condition of the ski and pole tracks. An experienced skier depends on unbroken rhythm and flow of motion to maintain speed and improve his proficiency Few ski tracks are set and groomed by power operated track setters, most are simply "skied-in" and maintained by regular use The running grooves are very fragile and can be destroyed by hiking boots, snowshoes, trail bikes, horse hooves snowmobiles and dog paws The compacted snow of a ski track is attractive to those other users

However, in the opinion of some Ontario Trails Council members, compatibility is a variable, and its implications can only be determined on a local case-by-case basis Some touring skiers are satisfied with the sub-optimum surface of a multiple-use winter trail

The Council has proposed that the decision as to which activities will be permitted on a given trail should be made jointly by the trail developer and the landowner That means that if a cross-country ski club develops trails on say, Crown lands, then that trail or trail system will be only for use by cross-country skiers and the out-of-season use will be decided by the club in conjunction with, in this case, the local District Office of the Ministry of Natural Resources

The speed and manoeuvring characteristics of cross-country skiing are much more akin to bicycling than to any other trail activity. Hiking and snowshoeing are carried out at lower speeds and are enhanced by abrupt changes in direction and natural obstacles which become dangerous to the higher speed skier who needs longer sight distances and longer radius turns. Summer hiking can be accommodated on a ski trail but the reverse is not always true

Competitive cross-country ski clubs will continue to provide trails for recreational skiers throughout Ontario In most cases proper trail etiquette and frequent trail grooming make racing and touring skiers compatible, but in areas of extremely heavy use some trails may



Our trail was advertised and snowmobiles were requested not to use it Nevertheless, machines pounded it out of existence in some sections As the Kawartha Ski Tour came closer, the situation became desperate We had no time to repair the damage and the trail tore up

have to be restricted to one group or the other.

There is very little restriction, within broad guidelines, in the use of Crown lands, and powered and non-powered activities may frequently find themselves in too close proximity without District Offices being able to do anything about it. The regulation of the use of Crown lands by the Ministry of Natural Resources is considered a necessary tool to preserve the aesthetic, intellectual and physical enjoyment of our trails, and the Ontario Trails Council has proposed that provincial laws be shaped to enable such regulation.

Trail-related facilities such as bridges, remote shelters, toilets and access parking, are considered to be desirable and necessary to the enjoyment of the trail, but public funding assistance is needed to provide them. Government help should be contingent upon significant primary input on the part of the club developing the trail system.

The expansion of cross-country skiing into long distance touring is a predictable consequence of growth, and the need for tour leaders or tour guides acting in either professional or amateur capacities will be complementary to such growth. The approval of certifying bodies for such tour leads should be a major concern of the Government in the provincial trails program.

At the most basic level, cross-country skiers want protected, groomed, signed, and mapped loop trails

### Four wheeling\*

The four wheel driving enthusiasts are looking for challenging routes far from urban traffic. Old logging and colonization roads which lead them to lakes and other features of natural beauty are considered ideal for their use.

Four wheelers do not require special trails as such. They desire ready access to extensive areas of land where such tracks through the bush exist. Their greatest concern is the unexplained closure of many of

these routes on Crown land to four wheeling.

Wherever possible, routes through public lands should be kept open for trail activities, and municipalities and large landholders should be encouraged to make unimproved road allowance, and resource-extraction roads accessible to four wheelers.

Also needed is public information on accessibility to existing roads in given areas.

\*Based on briefs submitted, not a committee report, since no four wheeling representative was appointed to the Council.

### Hiking

Opportunities for walking for pleasure and recreation have existed in Ontario for a long time, but it is only in the last generation or so that the increasing urbanization of the population has led to the need for organized hiking trails. In the last 10 to 15 years, a considerable number of walking trails have been developed and built by voluntary labor, mainly in the southern part of the Province. These trails are available for public use, and are not restricted to members of the organization which has built and is maintaining them. These trails rely heavily on permission from a variety of private landowners to cross their land, since the routes stretch from, or pass, urban areas into the countryside.

This has been done without Government assistance and without the establishment of a formal Ontario Trails Program. What hikers are looking for in an Ontario Trails program is to be allowed to continue developing these hiking trails, while looking to the Government for assistance only in those areas which are beyond the capability of individuals contributing their own resources of time and money. Hiking trail clubs are prepared to continue to plan, construct and maintain hiking trails for public use, and to educate and inform the clubs' members on the responsible use of the outdoors.



The problems facing hikers at this time include the following

- a) loss of permission from current landowners,
- b) lack of permission from landowners of potential new trail locations,
- c) the legal liability of the landowner towards those using the trail on his land,
- d) the spread of urban development leading to loss of trail routes and mileage,
- e) incompatible trail activities being carried out on trails developed by hiking trail clubs

Hikers look to the implementation of an Ontario Trails Program to assist them in maintaining the present trails, and in developing the new ones which are required to meet the increase in demand. The Council feels that its recommendations would generally meet the requirements of hikers, but two specific objectives are important enough to warrant separate identification

- a) The first of these is route stability, that is, a permanent trail. Even where complete permanence cannot be justified by the usage or significance of the trail, all hiking trails should be provided with a greater degree of stability than is now possible. This will require acquisition of some trail routes in perpetuity, and other, less costly, means of increasing the length of the term of the current landowner agreements for other trails. Users of hiking trails have already contributed towards the costs involved with acquiring this route stability, and can be expected to continue to do so. However, since the trails are also used by the public, it seems fair that public funds should also be used to achieve this objective
- b) The second specific objective, is to be able to walk in an environment that will provide the quality of hiking experience that the hiker seeks on the trail. While this experience will vary from one person to another, there is a common factor, namely the desire to be in a undeveloped and natural environment. One can never expect to be completely free of those things

that detract from this experience in the southern part of the Province. However, there are other recreational activities which do affect this experience to a significant extent. For this reason, hikers have stressed that their activity is incompatible with certain other recreational trail activities, particularly power activities. They ask that this incompatibility be recognized in the implementation of the Ontario Trails Program.

## Horseback riding

The concentration of horses and riders is quite apparent in Southern Ontario where there is a critical shortage of equestrian trails. However, presentations by equestrian clubs and individuals at the public meetings in Northern Ontario indicated a rapidly growing interest in horseback riding in that part of the Province.

While the recreational uses of the horse have been growing in popularity, available open space and long familiar bridle paths have been disappearing, lost to opposing land needs, intensified agricultural operations, major traffic corridors and to other trail users.

Although horses are generally located in rural and semi-rural areas, the requirements of farming today, fencing, road improvements and the burden of liability on consenting landowners all discourage the development of long distance trail opportunities on private land.

A number of Agreement Forest managers have posted logging trails and firebreaks as open to horseback riders and foot traffic, officially offering these excellent trail resources for recreational enjoyment. However, there is no policy to permit horseback riding in Provincial Parks, and only a few Conservation Authorities encourage the horse and rider on their lands. Policy changes should be made to accommodate the equestrian on all appropriate public lands.

*"In 7 years of having both horses and trail bikes on our property, we have learned that a little common sense on both the following reasons: the bike is quiet, I ride it rough and do not race through, and if I encounter any livestock hikers walkers or horseback riders, I pull off and shut off the engine until they are well past"*

The trail requirements of the horse and rider are simple and the cost of is minimal. Riders prefer to utilize available public lands, since physical access to those areas is easier, and existing rights-of-way can provide good footing for the horse and interesting, scenic landscape for the rider.

Equestrian trail developers recognize that by locating their trails on public lands, they will invite others to share their trails. Other trail users are welcome and are generally compatible with horse and rider. However, equestrians are concerned that trails developed by them should remain primarily horse trails. In the past, some well established horse trails have been usurped by other user groups and the equestrians excluded.

Since the horse and rider can travel between 5 and 25 miles a day, the development of long-distance trails and corridors incorporating secondary trail systems is highly desirable. The Great Pine Ridge Trail is the best existing example.

Scenic public road allowances form important links for the local loops in these long-distance trails, and equestrians would like to see the key sections retained in as natural a state as possible. Engineering standards for these roads should, whenever possible, match the standards used in Provincial Parks, where the emphasis is on low speed pleasure driving, and retention of the natural landscape.

Facilities needed by the horse and rider include devanning points along the trails, with access to toilets and water, and simple corrals for horse securement. Some private landowners and stables are able to provide these.

## Motorized snow vehicle driving

Snowmobiling has a number of special aspects which set it apart from other trail activities.

An annual validation fee is payable to the Province

for each motorized snow vehicle. One of the most frequent complaints voiced in the snowmobilers' briefs to the Ontario Trails Council was the discrepancy between their contributions to the provincial treasury, through validation fees, and the benefits, in terms of trail development and maintenance funding, received in return.

The interim Winter Trail Assistance programs have been criticized for the inadequacy of funds granted, the uncertainty of whether or not a grant would be received, and the lateness of the grant payments.

An ongoing trails assistance program should be initiated by the Government of Ontario, with the funding for public snowmobile trails based on a uniform sliding scale formula applicable to all clubs throughout the Province. This formula would consider the number of validated motorized snow vehicles registered with an approved club, and length of trail developed and groomed by the club. An example is given in Appendix 6.

Where snowmobile clubs and associations are unable to meet the demand for public trail use, the District Offices of the Ministry of Natural Resources should develop and maintain trails on Crown land.

A daily user fee of not less than \$2.00 and not more than \$5.00 should be charged for entry to Government and approved club or association trails, except for those who hold a valid membership in an approved motorized snow vehicle club or association.

Important safety requirements for snowmobile trails are signage and highly visible gateways. The Government of Ontario should develop a uniform set of durable, light-reflecting signs to caution and direct trail traffic. Use of single chains, cables, pipes or timbers to close laneways must be discouraged. These measures have been recommended in recent coroners' reports covering snowmobiling fatalities.

Public motorized snow vehicle trails should be mapped, with these maps available at cost from the

## Ministry of Natural Resources

Snowmobilers are fortunate to have legislation, The Motorized Snow Vehicles Act, 1974, covering their activity. This Act relieves landowners of responsibility towards snowmobilers on their land, but permissions to use private land would be further facilitated by a standard access agreement, approved by the Government of Ontario, for use by trail clubs and associations. Landowners would then be assured of the legality of the contract and the protection of their rights.

Despite the provisions of Section 19 of The Motorized Snow Vehicles Act, actions invoking The Fatal Accidents Act are being launched in connection with snowmobiling fatalities. To protect landowners and prevent such suits, a standard user form is needed, to be signed by all users of motorized snow vehicle trails. In signing this form a snowmobiler would renounce all claims of indemnity for damage sustained on the property of a person who has granted a right-of-way for a trail.

A number of amendments have been requested for The Motorized Snow Vehicles Act. These are listed in detail in Appendix 3.

Section 2 (9) (b) of The Act should be repealed, to stop the practice prevalent near the Quebec border of registering Ontario machines only in Quebec and not in Ontario. Motorized snow vehicles with Quebec registration are permitted to operate in Ontario, but to drive a snowmobile in Quebec, a Quebec registration, plus membership in an approved snowmobile club, or payment of a daily user fee, is required. Consequently many clubs and associations in the Ottawa Valley sell Quebec memberships and registrations to their Ontario members. The result is loss of revenue from Ontario validation fees.

## Trail Biking

The various trail bike clubs and individual trail bikers approaching the Trails Council all asked for trails —



close enough to communities to make them accessible and far enough away to make them unobtrusive. Trail bikes have not been provided for in Provincial Parks and in Conservation Authority lands, and land is needed for these people to pursue their sport. Large scramble areas, in ecologically durable, challenging terrain such as gravel pits and landfill sites should be organized, with a network of trails linking these nodes.

Several clubs requested a form of registering trail bikes which would not require vehicles licensing, so that a better control of trail biking would be possible. The briefs presented to the Council expressed the desire of the trail bikers to cultivate a good reputation with other trail users and the general public.

## Snowshoeing

Snowshoeing, as a traditional means of travel, has a long history in Ontario and should be included in any provincial trails program. Because of its physical nature, this is a healthful, demanding trail activity, and when the snow is deep, areas inaccessible by any other means can be explored by snowshoe.

Very little input was received by the Council on snowshoeing. Apparently there are no active clubs or associations in Ontario, but the Ontario Recreation Survey and the wide-spread sale and ownership of snowshoes indicates that a large number of people participate in the sport. No problems related to snowshoeing opportunities were reported. The activity appears to be one of minimal environmental impact and as such can be accommodated in a wide range of site situations within a great variety of land uses. Winter hiking and snowshoeing are compatible whereas snowshoeing and cross-country skiing are not. The Trails Council has noted the following needs of snowshoers:

- a) all Provincial Parks, municipal recreation areas and Conservation lands should be open to snowshoeing,
- b) trail routes, wilderness or otherwise, should be stabilized and maintained;
- c) a method of monitoring extended trips is needed,
- d) suitable hiking trails and canoe routes should be appropriately marked for snowshoeing,
- e) Ministry of Natural Resources employees and others so qualified should be encouraged to blaze wilderness trails for snowshoeing.

## Minority report

The foregoing statements on major issues and recommendations represent Council opinion as determined by majority vote on resolutions passed at regular business meetings held by the Council. A



number of differences of opinion developed among the individual Council members with respect to various issues and policy matters. A major philosophic difference which emerged repeatedly related to inclusion of power trail activities in a Provincial Trails Program. A minority of Council members felt that only non-power trail uses should be included in a Provincial Trails Program and be publicly supported. The rationale for this position included the conservation of fuel for non-recreation purposes, promotion of physical fitness through exercise, adverse impact of engine-powered machines on certain aspects of the physical environment, and the adverse impact of exhaust noise and fumes on nearby non-power recreationists. This position was presented to Council in a number of statements at public meetings, written briefs and letters to the Chairman.

As this position was not accepted by Council as a whole, no opportunity arose to investigate and make recommendations on socially acceptable accommodation of existing power trail uses outside a Provincial Trails Program.



A snowmobile with license plate JN394 is riding through a snowy forest. Other snowmobiles and riders are visible in the background.

# Appendices

## Appendix 1 - Briefs presented to the Ontario Trails Council

### London, Dec. 10, 1975

Elgin Hiking Trail Club  
P.O. Box 11  
St Thomas, Ont  
Mr J Parsons

Mr R LaFontaine  
Public Works Department  
City of Windsor  
Windsor, Ont  
Bicycling brief

Windsor Bikeways System  
Parks & Recreation Department  
City of Windsor  
Windsor, Ont  
Mr L Burridge, Deputy Commissioner

Otter Valley Motorcycle Club  
R.R. #1, Box 28  
Aylmer, Ont.  
Mr Phillips

Rusty Gaits Saddle Club  
Stratfordville  
Mrs. K Gagnon

University of Toronto  
Outing Club  
1106 Dearness Drive  
London, Ont  
Mr King

Ad Hoc Committee for the Recreation  
Development of the Lower Grand River  
40 Elm Street  
Brantford, Ont  
Mr R Waterous

Bruce Trail Association  
33 Hardale Crescent  
Hamilton Ont  
Mr Roberts

Mr B Hoffman  
Kimberley, Ont  
Individual concern

Thames Valley Trail Association  
403 Lansing Avenue  
London, Ont  
Mr J Fluton

Rusty Gaits Saddle Club  
Stratfordville, Ont  
Mrs Elizabeth Ball

Broken Wheel Trail Riders  
R.R. #1  
Aylmer, Ont  
Ms M Clarke

Orwell Community Trail  
Riders Horse Club  
R.R. #1  
Aylmer, Ont  
Mrs M Weber

Oxford Trail Riders  
R.R. #7  
Tilsonburg, Ont  
Mr R Milmine

Huronian Snowmobile Association  
R.R. #1  
Penetang, Ont  
Mr J Matthews

### Parry Sound, Jan. 27, 1976

Township of Muskoka Lakes  
Box 129  
Port Carling, Ont  
Mayor W Ingram

Ontario Federation of Snowmobile Clubs  
Box 318  
Port Sydney, Ont  
Mr. R Nelson

Port Sydney Hill & Gully Riders  
Box 227  
Port Sydney, Ont  
Mr L Woods

Almaguin South Tourist Association  
Kearney, Ont  
Mr M. Purdy

Port Sydney Resort Association  
Port Sydney, Ont  
Mr W Clarke

Echo Ridge Ski & Country Club  
25 Dorval Road  
Toronto, Ont  
Mr E Stoll

Ontario Snowmobile  
Distributors Association  
Box 488  
1156 Dundas Hwy East  
Mississauga, Ont  
Mr R Patterson

Ontario Snowmobile Distributors  
Association  
Box 488  
1156 Dundas Hwy East  
Mississauga, Ont  
Mr C Cowden

Chown & Son  
Snowmobile Dealers  
Mactier, Ont  
Mr D Crandall

Haliburton County  
Snowmobile Association  
Box 151  
Haliburton, Ont  
Mr Bates

Mr K W Trousdale  
Maples Hotel  
R R #2  
Parry Sound, Ont  
Snowmobiling brief

Ontario Safety League  
409 King St W  
Toronto, Ont  
Mr E McDiarmid

Mrs. M Hall  
R R #2  
Port Carling, Ont  
Snowmobiling brief

Parry Sound Wilderness  
Riders Snowmobile Club  
Parry Sound  
Mr. S O Oikle

Georgian Bay Motorcycle Association  
R R #1  
Nobel, Ont  
Mr M Rettie

Ontario Federation of  
Snowmobile Clubs  
Box 318  
Port Sydney, Ont  
Mrs Van Alstine  
Huronian Snowmobile Association  
404 Mildred St  
Midland, Ont  
Mr J Matthews

Society for Crippled Children  
350 Rumsey Road  
Toronto, Ont  
Mrs S Brower

Port Carling Snowmobile Club  
Drawer 368  
Port Carling, Ont  
Mr C Wright

Echo Ridge Riding Ranch  
Box 137  
Kearney, Ont.  
Mr W Schmidt

Ontario Federation of  
Snowmobile Clubs  
Box 318  
Port Sydney, Ont  
Mr J Cox

Ontario Federation of  
Snowmobile Clubs  
Box 318  
Port Sydney, Ont  
Mr R Start

Snowmobile Safety and Certification  
Committee Inc  
1755 South Jefferson Davis Hwy.  
Arlington, Virginia, U S A  
Mr D Crandall

Sunny Point Cottages Ltd  
Rosseau Road Post Office  
Mr. E Gales

Mr Joel Kennedy  
126 Isabella Street  
Parry Sound, Ont  
Cross-country skiing brief

#### **Timmins, Mar. 9, 1976**

Mattagam Region  
Conservation Authority  
167 Wilson Avenue  
Timmins, Ont  
Mr L. Luhtanen

Porcupine-Ski Runners Inc.  
Cross-Country Ski Club  
Box 973,  
Timmins, Ont  
Mr L. Luhta



Porcupine Camp Historical Society  
Box 17  
Porcupine, Ont  
Mr. J. Campsall

Club d'Equitation Ti-Clin  
Halebourg, Ont  
Mr D. Poliquin

Timmins Women's Resource  
Center Association  
Box 977  
Schumacher, Ont  
Ms. Nancy Segsworth

Mountjoy Trailmakers  
Snowmobile Club  
151 Government Road  
Timmins, Ont  
Mr. F. Levarque

Porcupine Rod & Gun Club  
174 Windsor Avenue  
Timmins, Ont  
Mr Burgess

Mountjoy Equestrian Club  
P O Box 1392  
Timmins, Ont  
Ms. P. Gagnon

Timmins Jaycees  
561 Hemlock  
Timmins, Ont.  
Mr B. Boychuck

Northern Riders Equestrian Club  
Box 166  
Ramore, Ont  
Mr. V. Sopchysyn

Mr E Ellery  
231 Wilson Road  
Timmins, Ont  
Canoeing brief

Hearst Snowmobile Club  
Hearst, Ont  
Mr R. Vaillancourt

Hearst Cross Country Ski Club  
Hearst, Ont  
Mr J. Lacelles

Department of Parks & Recreation  
City of Timmins  
Timmins, Ont

Gibbons' Cycle & Sports  
30 Pine St S  
Timmins, Ont  
Mr K. Gibbons

#### **St. Catharines, Apr. 20, 1976**

Mr. H. Erlewin  
169 S. Vidal Street  
Sarnia, Ont.  
Individual concern

Bruce Trail Club  
Niagara Branch  
P O Box 1  
St. Catharines, Ont  
Mr. Tancred

Niagara Clubs of Lincoln, Thorold,  
Welland and Pelham  
RR #4  
Fenwick, Ont  
Mr. W. Sawatzky

Mrs. R. Walters  
266 Huron St  
London, Ont  
Individual concern

Mrs. J. Gay  
Box 6  
St. David's, Ont  
Individual concern

Mrs. R. Boyt  
Silver Acres Riding Academy  
RR #3  
St. Catharines, Ont  
Equestrian brief

Thorold Snowmobile Club  
Thorold, Ont  
Mr. W. Shelvock

#### **Sault Ste. Marie, June 8, 1976**

Ontario Federation of Snowmobile  
Clubs  
52 Chambers Ave  
Sault Ste. Marie  
Mr. H.E. Wright

Ray Misek  
Range Lake Holidays Ltd.  
P O Box 145  
Sault Ste. Marie, Ont  
Canoeing Brief

Sault Ste. Marie Trail Blazers  
Snowmobile Club  
55 North  
Sault Ste. Marie, Ont  
Mr. R. Horner

Algoma Central Railway  
P O Box 7000  
Sault Ste Marie, Ont.  
Mr Len Oliphant, Lands Manager

Weyerhaeuser Canada Ltd  
45 Third Line West  
Sault Ste Marie, Ont  
Mr Ted Bothwell, Timber Manager

Voyageur Trail Association  
Box 66  
Sault Ste. Marie, Ont  
Mr P Syme, President

Wawa Ski Club  
8 Gladstone Avenue  
Wawa, Ont  
Mr R Kiokans

Sault Ste Marie Horse & Pony Club  
21 Trunk Road  
Sault Ste. Marie, Ont  
Mr. Victor Tracy

Soo Finnish Ski Club  
99 Lasalle Court  
Sault Ste Marie, Ont  
Mr W.O Maki

YMCA  
40 Kinsmount Blvd  
Sault Ste Marie, Ont  
Mr Gordon Saunders

Elliot Lake Snowbirds  
65 Lakeview Road  
Elliot Lake, Ont  
Mr Jim Cox

Mr Harold Brain  
Commissioner of Parks & Recreation  
Civic Centre  
Sault Ste Marie, Ont

Mr Ralph Yanni  
Secretary Treasurer  
Civic Centre  
Box 580  
Sault Ste. Marie, Ont

Great Lakes Power Co. Ltd  
P O Box 100  
Sault Ste. Marie, Ont  
Mr M M Kalliojarvi

Mr Norman Hearn  
R R #1  
Bruce Mines, Ont

#### **Peterborough, Aug. 24, 1976**

Kawartha Tourist Association  
P O Box 802  
Peterborough, Ont.  
R Ross Wiegand

Liftlock City Riders Motorcycle Club  
P O Box 373  
Peterborough, Ont  
Mr John Menzies

Otonabee Region Conservation  
Authority  
727 Landsdowne St W  
Peterborough, Ont.  
Mr G. Falls

The Thousand Islands Motorcycle Club  
785 Louis St  
Kingston, Ont  
Mr C Melanson, President

Ontario Retail Motorcycle Dealers  
Association  
Box 362, Bala, Ont  
Mr. G Legris

Miss Ida White  
921 Ford Avenue  
Peterborough, Ont  
Canoeing brief

The Kawartha Nordic Ski Club Inc  
P.O. Box 1371  
Peterborough, Ont  
Mr G.D. Tanney, President

Mr James Parsons  
62A Colborne W  
Lindsay, Ont  
Hiking brief

The Pineridge Cross-Country Ski Club  
P O Box 301  
Oshawa, Ont  
Mr Ken Whalley

Five Winds Touring Club  
17 Hillcrest Park  
Toronto, Ont M4X 1E8  
Mr A.M.H. Carthew

Lynn Valley Dirt Riders Motorcycle Club  
Box 182  
Simcoe, Ont  
Mr Bill Fitkowski

Steering Committee on Bikeways of the  
City of Peterborough  
City Hall  
Peterborough, Ont  
Mr Anthony Ip, Alderman

Corduroy Enduro British Empire  
Motorcycle Club  
P O Box 193, Station "A"  
Toronto, Ont  
Mr Ron Jackson

Haliburton Highlands  
Chamber of Commerce  
Box 147  
Minden, Ont  
Mr Bob Stinson

C G E Ski Club  
1010 Glendale Avenue  
Peterborough, Ont  
Mr Leo Berg

Apsley & District Tourist Association  
Box 383  
Apsley, Ont.  
Mr Bill Johnston, President

Havelock & District Snowmobile Club  
and Ferris Park Snowmobile Club  
RR #2  
Havelock, Ont  
Mr. A.H. Greenhalgh

Peterborough Orienteering Club  
c/o Dept. of Geography  
Trent University  
Peterborough, Ont.  
Mr.A.G. Brunger & W P Adams

Ms. Mary Neumann  
550 Weller St  
Peterborough, Ont  
Cross-country ski brief

Oshawa Competition Motorcycle Club  
154 Taunton Road West  
Oshawa, Ont  
Mr Donald G Anderson

Mr Alex Carruthers  
RR #1  
Campbellcroft, Ont  
Individual concern

Cycle Canada  
81A Front St East  
Toronto, Ont  
Mr John Cooper

Liftlock City Motorcycle Club  
Box 373  
Peterborough, Ont  
Mr Stanley Mathewson

### **Ottawa, Oct. 5, 1976**

Eastern Ontario Private Driving  
Association  
c/o John Kelso  
Shady Rocks  
RR #4  
Prescott, Ont  
Mr Lackey

Ontario Federation of  
Snowmobile Clubs  
Box 318  
Port Sydney, Ontario  
J. Moskwa, President

National Capital Equestrian Park  
401 Corkstown Rd  
Ottawa, Ont  
Mr Brock

Rideau Trail Association - Ottawa  
1841 Illinois Avenue  
Ottawa, Ont  
Mr F R Billingham

Mr Stewart Taylor  
Pembroke District Horsemen  
Pembroke, Ont

Mississippi Valley Conservation Authority  
905 Aaron Ave  
Ottawa, Ont  
Mr Cairns

Greenville Snowmobile Club  
Box 2402  
Prescott, Ont  
Mr. G Typhair

Cycle Canada  
173 Lisgar St  
Ottawa, Ont  
Mr T Robson

Seaway Valley Snowmobile Association &  
Alexandria Snowmobile Club  
1310 Lee Street  
Ottawa, Ont  
Mr R Eamer

Ottawa River Runners  
256 Flora Street  
Ottawa, Ont  
Mr. P Juurand

Alfaivre Bugs  
Alfred, Ont  
Mr R Lalande

Dwyer Hill & District Snowmobile Club  
RR #3  
Ashton, Ont  
Mr Alan Fyke

Ottawa Horsemen  
Green Acres Stables  
P O Box 64  
Greely, Ont  
Ms Madeleine Florent

Horsemen around Carillon Park  
Equidae Stables  
Box 69  
Greely, Ont  
Ms S Kneippel

Carleton Regional Club  
Box 498  
Orleans, Ont  
Mr. Lamoreux

Montague & District Snowmobile Club  
RR #6  
Smiths Falls, Ont  
Mr J. Hanna

Department of Law  
Carleton University  
Colonial By Drive  
Ottawa, Ont.

Canadian Horse Council  
333 River Rd  
Ottawa, Ont

### **Dryden, Oct. 9, 1976**

Mr V Klassen  
P O Box 331  
Dryden, Ont  
Motorcycling brief

Ad Hoc Committee on behalf of the  
Country Skiers of Sioux Lookout  
Mr J Rice  
P O Box 861  
Sioux Lookout, Ont.

Mr J Willis  
1241 Valley Drive  
Kenora, Ont.  
Individual concern

Reed Ltd  
Forestry & Woods Dept  
Dryden, Ont  
Mr Beatty

Dryden Athletic Recreation Commission  
Mr. G. Ferguson, Director  
83 Whyte Ave.  
Dryden, Ont

Ontario Federation of Snowmobile Clubs  
P O Box 318  
Port Sydney, Ont  
Mr J Moskwa

The Outers  
Dryden High School  
110 Albert St  
Dryden, Ont  
Jim Fallis  
Individual concern

Dryden Saddle Club  
c/o Ms D Johnson, President  
General Delivery  
Dryden, Ont

Northwestern Ontario Cross-Country Ski  
Association  
P O Box 13  
Minaki, Ont  
Ms. V. Turner, Chairman

Mr Thom Marchand  
48 Ross St  
Dryden, Ont  
Individual concern

Ojibway Power Toboggan Association  
Box 1266  
Sioux Lookout, Ont  
Mr H Crisly

Ms D Sailer  
33 Machin Ave  
Dryden, Ont  
Individual concern

Ontario Orienteering Association  
P.O. Box 861  
Sioux Lookout, Ont  
Mr J Rice

### **Barrie, Nov. 23, 1976**

Minesing Swampriders  
Snowmobile Club  
Box 50  
Minesing, Ont  
Mr Neil Mitchell

Thames Valley Trail Association  
199 Homestead Court  
London, Ont  
Mrs Jean Law

Land Owners Committee  
Mr Lorne E Wilson  
Anten Mills, Ont

Huronias Snowmobile Association  
RR #1  
Midhurst, Ont  
Wayne Russell

Barrie Cross-Country Ski Club  
36 Peacock Lane  
Barrie, Ont  
George R Manning

Ronald M Coutts  
RR #1  
Midhurst, Ont  
Individual concern

Grey-Bruce Huronia Muskoka Travel  
Association  
Simcoe County Building  
Midhurst, Ont  
Mr. Boyd Robinson

Nottawasaga Conservation Authority  
RR #1  
Angus, Ont  
Mr Herman Van Wesenbeck

Mr. D. Brooks & Mr A MacLeod  
P.O Box 1244  
Penetang, Ont  
Individual concern

Orangeville and District Snowmobile  
Association  
P O Box 5  
Orangeville, Ont  
Mr P Bell

Huronias Ridge Riders  
RR #1  
Wyevale, Ont  
Mr J Blow

F.L. O'Reilly  
286 Roywood Cres  
Newmarket, Ont

Ganaraska Trail Association  
Box 1136  
Barrie, Ont  
Mr P Van Vliet

South Lake Simcoe Conservation  
Box 282  
Newmarket, Ont  
Mr P Seibert

Ronald Gatis  
RR #6  
Warton, Ont  
Individual concern

Blue Mountain Bruce Trail Club  
P.O Box 306  
Barrie, Ont.  
Mr B Bateman

Barrie Motorcycling Association  
12 Parkway Place  
Barrie, Ont  
Mr B Hart

Simcoe County Federation of Agriculture  
Box 455  
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Hockley Valley Trail Riders Assoc  
RR #5  
Orangeville, Ont  
Mr G Payne

Rolling Hills Riding Club  
RR #2  
Mansfield, Ont  
Mr P Matthews

Simcoe County Historical Assoc  
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WG Trent  
78 Stoddart Dr  
Aurora, Ont  
Individual concern

Bombardier — M.L.W Ltd  
28 Currie St  
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Mr P Swain

#### **Toronto, Nov. 24, 1976**

Guelph Trail Club  
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Guelph, Ont  
Mrs E Hamilton, President

Credit Valley Conservation Authority  
Meadowvale, Ont  
Mr Greer

Ontario Federation of Agriculture  
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Toronto, Ont  
Mr R Cunningham

Regional Municipality of York  
Box 147  
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Mr H. Macklin  
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Individual concern

Competitive Trail Riders Assoc  
4 Riverview Rd  
Markham, Ont  
Mr T.J. Scott

Urban Bikeways Inc.  
Suite 1007  
1111 Richmond Street West  
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Mr. P. Kent

Toronto Bruce Trail Club  
Postal Station M  
Box 44  
Toronto, Ont  
Mr F. Turner

Motorcycle & Moped Industry Council  
45 Richmond St W  
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Toronto, Ont  
Mr B MacMillan

Conservation Council of Ontario  
6th Floor  
45 Charles St E  
Toronto, Ont  
Mr G Roberts

Ontario Bicycling Coalition  
4070 Old Dundas St #504  
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Mr Norm Hawirko

Canadian Motorcycle Association  
20 Jarvis St  
Hamilton, Ont  
Mrs Bastedo

Mr Peter Brogden  
50 Brookridge Drive  
Scarborough, Ont  
Cross-country skiing brief

Credit Valley Ski Club  
Box 341  
Port Credit, Mississauga, Ont  
Mr G Maxfield

Ontario Federation of Snowmobile Clubs  
P.O. Box 318  
Port Sydney, Ont  
Mr R. Start

Wilderness Canoe Association  
P.O. Box 901, Postal Station A  
Scarborough, Ont  
Mr G Fenwick

Metropolitan Toronto & Region C A  
5 Shoreham Dr  
Downsview, Ont.

Grand Valley Trails Association  
P O Box 1233  
Kitchener, Ont  
Mr. D. Emberly

Ontario Council of Horse Organizations  
R.R. #2  
Binbrook, Ont  
Mr. J Muir

Mr Mutiger  
Box 233  
Wasaga Beach, Ont  
Trail biking brief

Ontario Four Wheel Drive, Off-Road Assoc  
32 Parklea Dr  
Toronto, Ont  
Mr. C Rhones

Canadian Automobile Sports Club  
P.O. Box 97  
Willowdale, Ont  
Mr R. Arthur

Federation of Ontario Cross-Country Skiers  
P.O. Box 2160  
Downsview, Ont  
Mr. F Tremblay

Mrs Mary Sauriol  
15 Clayland Dr  
Don Mills, Ont  
Individual concern

Circle R Stables  
20 Elgin St.  
Ajax, Ont  
Mr H Brant

Graduating Class of Equine Studies  
Humber College  
Humber College Blvd  
P O Box 1900  
Rexdale, Ont  
Ms N LaCombe

**Sudbury, Jan. 11, 1977**

Mr Don Haws  
c/o Canadore College  
Box 5001, North Bay, Ont  
Individual concern

Northern Ontario Ski Division Inc C S A  
1353 Gemmell St  
Sudbury, Ont  
Mr John Edward

Nickel District Conservation Authority  
200 Brady Street  
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Mr C G Caswell, Chairman

Ontario Four Wheel Drive Clubs  
123 Donald Drive  
North Bay, Ont  
Mr J Milne

Ontario Hydro - Northeastern Region  
590 Graham Drive  
Box 3060  
North Bay, Ont  
Mr Bill Caesar

Dr. Ken Sidney  
c/o Laurentian University  
Ramsey Lake Road  
Sudbury, Ont  
Individual concern

Onopng Snowmobile Club  
Box 127  
Onopng, Ont  
Mr Gilles Amyotte, President

West Nipissing Snowmobile Club  
P O Box 415  
Sturgeon Falls, Ont  
Mr Rene Adams

Wagonwheel Ranch  
RR #1  
St Charles, Ont  
Mr Philip Bertrand

Ontario Federation of Snowmobile Clubs  
P.O Box 318  
Port Sydney, Ont  
Mr Rick Start

Walden Cross-Country Ski Club  
Box 118  
Naughton, Ont  
Mr Doug Santala

Broder Dill Snowmobile Club  
RR #2, Box 8, Suite 20  
Sudbury, Ont  
Mr McArthur

Nickel Rider Motorcycle Club  
499 Linda Street  
Sudbury, Ont  
Mr Mike Varnett

**Thunder Bay, Mar. 7, 1977**

Mr Keith Pearce  
415 Westview Place  
Thunder Bay, Ont  
Trail biking brief

Mr Richard Staples  
c/o Nolalu Community Recreation  
Association  
Nolalu, Ont  
Historical Trails

Appaloosa Horse Club Inc  
536 McLaughlin St  
Thunder Bay, Ont  
Mr Ian Shaw

Ms Patricia Filleau  
c/o Anthropology Dept  
Lakehead University  
Thunder Bay, Ont  
Individual concern

Voyageur Trail Association  
119 Junot Ave North  
Thunder Bay, Ont  
Mr Carl Rose

Thunder Bay Outers Club  
218 North Marks Street  
Thunder Bay, Ont  
Mr. D. Brown

Mr Paul Filleau  
244 Lincoln St.  
P.O Box Bldg  
Thunder Bay, Ont  
Individual concern

Lake Superior Ski Division of C S A  
R.R. #12  
Dawson Road  
Thunder Bay, Ont

**Cambridge, Apr. 19, 1977**

Ontario 4 Wheel Drive Association  
706 Guelph Line  
Burlington, Ont  
Mr Mac Plouffe

Grand Valley Trails Association  
P O Box 1233  
Kitchener, Ont

Guelph Trail Club  
Box 1  
Guelph, Ont  
Mr Bob Fanning

Meadowvale Pony Club  
1189 Eglinton Ave W  
Mississauga, Ont L3M 2D5  
Mrs Ruth Beatty

Burlington Horse Association  
R R #1  
Millbank, Ont  
Mr. L. Snyder

Whipper Watson Snowarama for Timmy  
Ontario Society for Crippled Children  
350 Rumsey Road  
Toronto, Ont

Equestrian Trail Riders in Peel  
R.R. #6  
Mississauga, Ont  
Mr. Ed Brady

Grand River Conservation Authority  
Shade's Mill Park Avenue  
Cambridge, Ont  
Mr James S Bauer, Chairman

Wellington Federation of Agriculture  
R R #1  
Alma, Ont.  
Mrs Marie Skerritt

Mr Charles B. Dunham  
1231 Richmond St.  
Apt. 304  
London, Ont  
Hiking brief

West Wyndt  
R R #1  
Gadshill, Ont  
Mr B Faulkner  
Equestrian brief

The Elgin Hiking Trail Club  
St Thomas, Ont  
Mr Charles Thompson, President

Ms Brenda Peck  
Box 384  
Stratford, Ont  
Individual concern

The Avon Trail  
P O Box 384  
Stratford, Ont  
Mr Perry C. Hill

Mr George R. Barrie  
R R #4  
Cambridge, Ont

Waterloo Federation of Agriculture  
R.R. #1  
Milbank, Ont  
Mrs. L. Snyder, Secretary

Associations of Natural Resources  
Technicians of Ontario  
R R #4  
Shelbourne, Ont.

Wentworth County Federation of Agriculture  
R R #2  
Mount Hope, Ont  
Mrs. Joan Lowden

Central Ontario Regional  
Snowmobile Association  
Box 186  
Ajax, Ont  
Mr Warren Roher

Canadian Nor Dog Sledders  
R R #4  
Grand Valley, Ont  
Mr Cliff Johnson

Mr. Jeremy Collie  
266 Huron St  
London, Ont  
Bicycling brief

Halton Off-Road Riders Association  
Apt 1  
95 Guelph St  
Georgetown, Ont  
Mr. Dave Armstrong

Grand Valley Sno Rovers  
Grand Valley, Ont  
Mr Harold Loughheed



Mr Dennis Shemeld  
160 Huron St  
Woodstock, Ont  
Individual concern

Toronto Hiking & Conservation Club  
108 Boulton Drive  
Toronto, Ont  
Mr Dennis Wilby

The Corporation of the  
City of Cambridge  
14 Pelty Place  
P.O. Box 963  
Cambridge, Ont  
Mr. Norm Gamble  
Superintendent of Facilities

The Raytheon Canada Cross-Country  
Ski Club  
220 Willowdale Ave  
Waterloo, Ont  
Mr. John McAllister

The Federation of Ontario Hiking Trail  
Associations  
Box 422  
Cambridge, Ont  
Mr Pat Cowan

Ontario Competitive Trail Riders Assoc  
R.R. #1  
Guelph, Ont.  
Di Lindbald

Rockwood Trail Riders  
R.R. #4  
Acton, Ont  
Mrs. Pat Thompson

Snowmobile Clubs serving Guelph,  
Fergus, Hillsburg and Rockwood  
R.R. #5  
Guelph, Ont N1H 6J2  
Mr Frank Berardine

Thames Valley Trail Association  
24 Longbow Place  
London, Ont  
Miss Margaret O. Creighton

### **Kingston, May 31, 1977**

Eastern Ontario Four Wheel Club  
26 Kingscourt Ave  
Kingston, Ont  
Mr Max Pater

Model Aeronautics Association  
R.R. #3  
Brockville, Ont  
Mr H.S. Lorimer

The Quinte-Hastings Recreational  
Trail Association  
R.R. #7, Box 16  
Belleville, Ont  
Mr. Grant Harvey

Thousand Island Motorcycle Club Inc  
P.O. Box 133  
Station A  
Kingston, Ont  
Mr N. Hart

Motorcycle Racing Association of  
Canada Inc.  
Box 141, Station "N"  
Toronto, Ont  
Mr Mike Austin

The Federation of Ontario Naturalists  
1262 Don Mill Road  
Don Mills, Ont  
Mr M. Singleton

Rideau Trail Association Inc  
P.O. Box 15  
Kingston, Ont  
Mr J McLeod

Napanee Cross-Country Ski Club  
179 First Ave  
Napanee, Ont  
Mr R. Briese

G.B. Ranch & O.T.R.A.  
R.R. #1  
Baltimore, Ont  
Ms D Bruening

Miss S. Atkinson  
R.R. #1  
Seeleys Bay, Ont

The United Counties Snowmobile  
Association Inc  
367 Church St  
Brockville, Ont  
Mr S. Johnston

Lennox & Addington Ridge  
Runners Snowmobile Club  
Camden East, Ont  
Mr L.D. Williams

Kingston Rideau Trail Club  
Box 15  
Kingston, Ont  
Mr. J. Watkins

Mr H.A. McKibbin  
R.R. #1  
Kingston, Ont

Athens & District Snowmobile Club  
Box 64  
Merrickville, Ont  
Mr J. French

**Owen Sound, July 5, 1977**

Ontario Provincial Police  
#6 District  
Mount Forest, Ont  
Mr. H. Tighe

The Beaver Valley Bruce Trail Club  
Box 1030  
Meaford, Ont  
Mr. A. Stone

Huron County Federation of Agriculture  
R.R. #1  
Dungannon, Ont  
Mr. M. Gunby

Grey Bruce Regional Tourist Council  
R.R. #4  
Owen Sound, Ont  
Mr. G. Cartmell

Miss J. Moorby  
R.R. #1  
Bluevale, Ont

Bruce Peninsula Snowmobile  
Trail Association  
Red Bay Lodge  
Warton, Ont  
Mr. Roy Bullen

Mrs. L. Marritt  
R.R. #1  
Wingham, Ont

Turnberry Township Council  
Municipal Office  
Bluevale, Ont  
Mr. G. Fortune

Ontario Trail Riders Association  
2240 Kingston Rd.  
Scarborough, Ont.  
Mr. B. Millage

Mr. T. McQuail  
R.R. #1  
Lucknow, Ont

Mr. Adrian Vos  
Blyth, Ont

North Grey Region and Sauble Valley  
Conservation Authorities  
330 Tenth St. W., Box 759  
Owen Sound, Ont.  
Ms. L. van Vlymen

Bruce Regional Snowmobile Club  
R.R. #5  
Midmay, Ont  
Mr. Raymond Foster

Queen's Bush Snowmobile Club  
3 Huron St.  
Walkerton, Ont.

Mr. C. Bastedo  
81-A Front St. East  
Toronto, Ont

Ontario Competitive Trail Riders  
R.R. #2  
Flesherton, Ont  
Ms. Nancey Beacon

Saugeen Field Naturalists  
Box 81  
Tiverton, Ont  
Mr. M. Parker

Kincardine Sno Burds  
Box 1015  
Kincardine, Ont  
Ms. Judy Sauder

The Rideau Trail Association  
32 Gretna Green  
Kingston, Ont  
Mr. Bill Snel

Grey Bruce Trail Riders Association  
518 Fourth Ave. West  
Owen Sound, Ont  
Mr. I. Miller

Bruce County 4 Wheelers  
Box 1445  
Port Elgin, Ont  
Mr. M. Perry

Mr. Chas Mann  
850 Huron Terrace  
Kincardine, Ont

The Sydenham Bruce Trail Club  
169-4th Street West  
Owen Sound, Ont  
Mr. D. Mitcafe

Mr B Scott  
R.R. #1  
North Keppel, Ont

Ms B Brown  
R.R. #1  
Bluevale, Ont

Mr G Underwood  
R.R. #1  
Wingham, Ont.

Mr. L. Gourlay  
280 Philip St. B3-4  
Waterloo, Ont

#### **Briefs submitted by mail**

Ontario Cycling Association  
R.R. #1  
Freelton, Ont  
Mr. T. Parry

Dr. C. Lockton  
R.R. #1  
Callander, Ont  
Individual concern

Mr. J.H. Sellers, District Manager  
Sault Ste. Marie District Northeastern  
Region, Ministry of Natural Resources  
P.O. Box 130  
Sault Ste Marie, Ont

Ganaraska Region  
Conservation Authority  
Port Hope, Ont.  
Mr. R. Forrester, Chairman

Grenville County Historical Society  
P.O. Box 365  
Prescott, Ont  
Ms. P. Stephenson

Hamilton Region Conservation Authority  
P.O. Box 99  
838 Mineral Springs Rd  
Ancaster, Ont  
Mr. W. Powell, Chairman

Ontario Recreation Society  
559 Jarvis St  
Toronto, Ont  
Mr. W. Thorsteinson

Improvement District of Balmertown  
Recreation Committee  
Box 306  
Balmertown, Ont  
Bicycling brief

Mr. D. Lampert  
950 Front Rd  
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Individual concern

The Almaguin Snowmobile Club  
Box 24  
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Mr. F.G. Harbit, President

Niagara Region Study Review  
Commission  
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40 Albert St. W.  
Thorold, Ont  
Mr. W.L. Archer, Q.C.

Oshawa Competition Motorcycle Club  
154 Taunton Rd. W  
Oshawa, Ont  
Mr. D.G. Anderson

The McIlwraith Field  
Naturalists of London Ontario Inc  
266 Huron St  
London, Ont

Kingston Historical Society  
Box 54  
Kingston, Ont  
Mr. J. Mulkerns

Mr. James D. McDougal  
211 Rawden St  
Brantford, Ont  
Trail biking brief

Mr. George MacRae  
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Whitby, Ont  
Trail biking brief

Mr. D.C. Patchett  
R.R. #1  
Sunderland, Ont  
Trail biking brief

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Individual concern

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Brampton Cycle  
379 Main St  
Brampton, Ont  
Trail biking brief

Aurora and District Historical Society  
Box 356  
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Mr. McIntyre

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R.R. #1  
Beeton Ont  
Landowner brief

Conservance of Natural Huronia Assoc  
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Collingwood, Ont  
Ms. L Henderson

North Bay Nordic Ski Club  
P.O. Box 1524  
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Ms. S Bass

Mr D O'Carroll  
Shamrock Hotel  
Box 218  
Port Carling, Ont  
Vita Parcour brief

Algonquin Cross Country Club  
Whitney, Ont  
Mr J Van Baal

Heyden Crafts  
R.R. #2  
Sault Ste Marie  
Mr. O. Mahlmann  
Canoeing brief

Mrs. H. Hansen  
R.R. #2  
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Ontario Northland  
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195 Regina St.  
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Trail biking brief

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Box 68, Suite 25  
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Val Caron, Ont

Rideau Trail Association  
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Kingston, Ont

Canoe Ontario  
559 Jarvis St  
Toronto, Ont

Mr. M.R. Stevenson  
R.R. #5  
Renfrew, Ont.  
Individual concern

Nanabijou Sled Dog Inc. Show  
R.R. #2  
Vickers Road  
Thunder Bay, Ont  
Mr. B. Lehtinen

Toronto Hiking and Conservation Club  
Box 121  
Station P  
Toronto, Ont

North Bay Sno Trotters  
1159 Hammond St  
North Bay, Ont  
Mr. M. Orton

Maple Leaf Snowmobile Club  
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Trail biking brief

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35 Front St. South  
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Individual concern

Mr C. MacDonald  
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Canoeing brief

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Snowmobile Club  
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Bowmanville, Ont  
Mr. L. Crago

Medad Forest Snowmobile Club  
R.R. #1  
Millgrove, Ont  
Mr. R. Shepherd

Ms. J. Palmer  
561 Balliol St  
Toronto, Ont  
Individual concern

Mr. R.J. Godridge  
SS #1, Suite 4  
Camp 17  
Penetang, Ont  
Trail biking brief

Motorcycle Racing Association of  
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Box 141, Station "N"  
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Mr. Mike Austin

The Federation of Ontario Naturalists  
1262 Don Mills Road  
Don Mills, Ont  
Mr. M. Singleton

Rideau Trail Association Inc  
P.O. Box 15  
Kingston, Ont  
Mr. J. McLeod

Napanee Cross-Country Ski Club  
179 First Ave  
Napanee, Ont  
Mr. R. Briesse

G.B. Branch & O.T.R.A.  
R.R. #1  
Baltimore, Ont  
Ms. D. Bruening

Miss S. Atkinson  
R.R. #1  
Seeleys Bay, Ont

Mr. H.A. McKibbin  
R.R. #1  
Kingston, Ont

The Little Cataraqui Environment  
Association  
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Kingston, Ont  
Dr. Helen Henrikson

Bayside Trail Blazers  
Motorcycle Club Inc.  
R.R. #3, Frost Road  
Belleville, Ont  
Mr. J. Hunter

Lennox & Addington Ridge  
Runners Snowmobile Club  
Camden East, Ont  
Mr. L.D. Williams

Kingston Rideau Trail Club  
Box 15  
Kingston, Ont  
Mr. J. Watkins

The United Counties Snowmobile  
Association Inc  
367 Church St.  
Brockville, Ont  
Mr. S. Johnston

Athens & District Snowmobile Club  
Box 64  
Merrickville, Ont  
Mr. J. French

Frontenac County Federation of Agriculture  
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Elginburg, Ont  
Mr. E. Bennett

Moria River Conservation Authority  
Box 68  
Cannifton, Ont  
Mr. H. Thompson

Mr. M.A. Miller  
15 Highland Ave  
Toronto, Ont  
Individual concern

Ms. S.E. Colquhoun  
Box 609  
Englehart, Ont  
Individual concern

Ms. J. Leslie  
64 Forbes Ave  
Guelph, Ont  
Individual concern

Mrs K.M Douglas  
3475 Ridgewood Ave  
Apt 304  
Montreal, Quebec  
Individual concern

Mr. G Simpson  
244 Penn Dr  
Burlington, Ont  
Cross-country ski brief

Mrs S.E MacMillan  
RR #1  
Lucknow, Ont  
Equestrian brief

Prince Edward County Association  
of Snowmobile Clubs  
RR. #1  
Ameliasburgh, Ont  
Mr. R.E Carter

Mr W.R Smithies  
43 Woodlawn Ave West  
Toronto, Ont  
Individual concern

Mr C. Smith  
93 Queen St. East  
Cambridge, Ont.  
Individual concern

Mr D Sinclair  
RR #1  
Orangeville, Ont  
Individual concern

Mr C.K. MacDonald  
General Delivery  
Huntsville, Ont  
Snowshoeing brief

Englehart Nordic Ski Club  
Box 609  
Englehart, Ont

Ontario Cycling Association Inc  
559 Jarvis Street  
Toronto, Ont  
Mr Keven Gardiner, Executive Director

Mr F Aird Lewis  
172 Forest Hill Road  
Toronto, Ont

Mrs Jean Willits  
RR #1  
Wingham, Ont

Graham and Joanne Sholdice  
RR. #1  
Londesboro, Ont

Englehart Nordic Ski Club  
P O Box 609  
Englehart, Ont  
Shirley E Colquhoun

Ms Helen Skinner  
33 Glenview Ave  
Toronto, Ont  
Individual concern

Canada Kennel  
RR #2  
Kamistiquia, Ont.  
Holly and Carol Holell  
Dog sledding brief

Mr. L Winslade  
RR #3  
Beamsville, Ont  
Individual concern

Ms P Bredehoeft  
71 Overdale Ave  
Hamilton, Ont  
Individual concern

Mr. R.C More  
RR #2  
Bracton, Ont  
Snowmobiling brief

Mrs F Lehman  
RR #1  
Brooklyn, Ont  
Equestrian brief

South Grey Regional Trail Association  
Box 648  
Mount Forest, Ont.  
Mr Ron Kirby

Southern Ontario Division of C.S.A  
850 Fletcher Valley Crescent  
Mississauga, Ont  
Ms D. Parkinson

#### Summary

Briefs presented at public meetings	278
Briefs submitted by mail only	74
Total	352

## Appendix 2 — A proposed Act respecting occupier's liability

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows

### Section 1

It is the policy of the Province, in furtherance of the public health and welfare to encourage and promote the use of privately owned lands and waters by the public for beneficial recreational purposes, and the provisions of this Act are enacted to that end

### Section 2: Definitions

- a) For the purposes of this Act the terms defined in this section have the meanings given them except where the context clearly indicates otherwise
- b) "Land" means land, roads, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
- c) "Owner" means the possessor of a fee interest or life estate, a tenant, lessee, occupant or person in control of the premises
- d) "Recreational Purpose" includes, but is not limited to, any of the following or any combination thereof: hunting trapping, fishing, swimming, boating, camping, picnicking, bicycling, horseback riding, pleasure driving including snowmobiling and the operation of any motorized vehicle or conveyance upon a road or upon or across any land in any manner whatsoever, nature study, water skiing, cross-country skiing, downhill skiing, winter sports, canoeing, snowshoeing, and viewing or enjoying historical, archaeological, scenic or scientific sites.
- e) "Charge" means the admission price or fee received in return for invitation or permission to enter or go upon the land.

Section 3 Owners Duty of Care or Duty of Give Warnings  
Except as specially recognized by or provided in Section 6, an owner of land

- a) owes no duty of care to render or maintain his land safe for entry or use by other persons for recreational purposes as defined in this Act;
- b) owes no duty to warn those persons of any dangerous condition on the land, whether patent or latent,
- c) owes no duty of care toward those persons except to refrain from willfully taking action to cause injury; and
- d) owes no duty to curtail his use of his land during its use for recreational purposes

### Section 4 Landowner Liability

Except as specifically recognized by or provided in Section 6, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby

- a) Extend any assurance that the premises are safe for any purposes,
- b) Confer on such person the legal status of advisee or licensee to whom a duty of care is owed,
- c) Assume responsibility for or incur liability for any injury to person or property caused by an act or omission of such persons

### Section 5 Liability; Leased Land

Unless otherwise agreed in writing the provision of Section 3 and 4 shall be deemed applicable to the duties and liability of an owner of land leased to the Province or any subdivision thereof for recreational purposes

### Section 6: Landowner Liability, Not Limited

Nothing in this Act limits in any way any liability which otherwise exists:

- a) For conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of,
- b) For injury suffered in any case where the owner of land

charges the person or persons who enter or go on the land for recreational use thereof, except that in the case of land leased to the Province or a subdivision thereof, any consideration received from the Province or subdivision thereof by the owner for such a lease shall not be deemed a charge within the meaning of this section

#### Section 7. Land User's Liability

Nothing in this Act shall be construed to

- a) create a duty of care or liability for injury to persons or property;
- b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this Act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care

#### Section 8 Dedication

No dedication of any land in connection with any use by any person for a recreational purpose shall take effect in consequence for the exercise of such use for any length of time hereafter except as expressly permitted or provided by the owner or as expressly provided by other legislative acts

### Appendix 3 - Recommended amendments to The Motorized Snow Vehicles Act, 1974

1

- "Invitee" means, for the purposes of this Act, a driver of
- (d) a motorized snow vehicle who is a non-member of a club or association but who has paid to the trail operator a user fee and to whom is owed an invitee's duty of care. This duty of care is not transferred to the landowner or occupier

- (c) "Licensee" means, for the purpose of this Act, a person who has permission to be on land in accordance with the provisions of Section 22 of this Act

- 1 "Public Trail" means the whole or any accessible
- r) section of a motorized snow vehicle trail established and/or maintained as such in whole or in part by public funds (but only during the length of time as stipulated by the terms of the grant) and used exclusively by motorized snow vehicles, whether or not a fee is charged for the use thereof

- 14 Upon the request of the owner or occupier of land upon
- (4) which a person is operating a motorized snow vehicle or his authorized agent, the person operating the motorized snow vehicle shall stop and identify himself by giving his correct name and address

- 19 An owner or occupier of land owes no duty of care towards a person who is driving or riding on a motorized snow vehicle or being towed by a motorized snow vehicle upon the land and who is a trespasser or licensee except the duty to not create a danger with the deliberate intent of doing harm or damage to a trespasser or licensee or do a wilful act with reckless disregard of the presence of the trespasser or licensee
- 1974, c. 113, s. 19

- 22 Subject to Subsection 3, liability under Subsection 1 is
- (2) not affected by reason only that the accused was given permission to be on the land unless

- (a) the permission is in writing signed by the owner or occupier of land, and
- (b) the accused was only on that portion of the land for which the permission was given.

- 22 For the purpose of Subsection 2, written permission
- (5) given to a Club or Association that is in receipt of public money shall be deemed to have been given to those drivers of motorized snow vehicles who are members of the general public and who have paid to the Club, Association or Agency, a daily user fee, or are authorized guests of the Club, Association or Agency.

- 24 (after (b) and before (c) )



- (c) providing for the terms and conditions under which the payment of public funds may be made for the provision of public facilities to Clubs, Associations, or Agencies.
- (d) providing for the payment of daily user fees to Clubs, Associations or Agencies maintaining the public trails

## Appendix 4 - Trail-use ethics

### Environmental concerns

- a) "Take nothing but pictures and leave nothing but footprints"
- b) Do not smoke while moving on trails — any burning material is a potential fire hazard
- c) Do not allow dogs to run free. All dogs must be on a leash. Harassment of wildlife, livestock, and fellow trail users by dogs is unacceptable
- d) Do not harass or disturb wildlife
- e) Do not gather wildflowers
- f) Do not cut living trees for firewood or tent poles or peel bark from trees and shrubs or damage them in any way.
- g) Do not dispose of hydrocarbon fuels and lubricants on the surfaces of land, snow, ice or water
- h) Build fires in designated areas only, and in accordance with Ministry of Natural Resources recommendations. Portable stoves are recommended wherever possible
- i) Use an established campsite wherever possible; camp on firm mineral soil or rock and restore the site to as natural a condition as possible before leaving.
- j) Locate toilets well away from potable water sources; bury body waste in the organic layer of the soil — no deeper.
- k) Trails should be established only where ground surface is stable and firm enough to support anticipated trail traffic without degradation or promotion of erosion.
- l) Do not locate or establish trails in or near known

habitats of rare or endangered species of plants and animals

### Landowner rights and relationships

- a) Park only on public roads or in designated public trail user parking areas, not on private land
- b) Treat property of others with the same consideration and care you would accord your own property
- c) Stay on designated trails, do not trespass. Stay away from dwellings and occupied campsites
- d) Camp only in designated and established campsites
- e) Do not pass over cultivated fields
- f) Do not cut or climb over or under fences — use stiles where available
- g) Do not open gates when crossing farmland
- h) Do not disturb farm animals
- i) Farmland, buildings and equipment are expensive and essential components of our provincial economy — treat them with respect

### Social concerns

- a) Do not leave litter "If you can take it in, you can take it out"
- b) Respect the rights of trail developers and other trail users. Do not use a trail for uses other than those designed by the developing club, agency or landowner
- c) Do not remove trail markers or blazes
- d) Do not use established or designated snowmobile trails or cross-country ski trails for any purpose other than the established purpose. Groomed surfaces and prepared tracks represent an investment of time, energy and money which can be quickly destroyed by other uses. Do not take dogs on ski trails established by others
- e) Pay your way, through membership in the club that is managing the trail or by buying a day-use ticket
- f) Know your physical and technical capabilities — travel equipped to meet emergency repair, shelter and food requirements to avoid rescue requirements
- g) Know the country, take a map and compass and

advise a non-traveller of your itinerary and estimated time of return for long trips

## Appendix 5 - Proposed standard trail-use agreement

This document will:

- a) specify the parties to the agreement and their classification,
- b) specify the tenure of the agreement, and will provide for the termination of the agreement upon written notification and will not restrict the owner/occupier's use of the land;
- c) provide for statutory time limit for trail closure by landowners,
- d) specify that the agreement shall terminate with the sale of the lands,
- e) specify the width of the trail right-of-way,
- f) specify the legal description of the trail site and on Exhibit "A" attached thereto and made part thereof show the said strip of land referred to as the right-of-way Exhibit "A" must include applicable dates and notice regarding provision (c) above
- g) specify what persons have right of access to the right-of-way under the terms of the agreement, and further, will specify their classification;
- h) specify all other persons, excepting law enforcement officers, as trespassers liable for trespass charges,
- i) specify that any person deviating from the trail right-of-way shall be liable for trespass charges under
- j) identify the parties who may act as "authorized agent" of the landowner or occupier for the purposes of controlling trespassing;
- k) specify that the club or association shall be responsible for the patrol of the trail and shall be responsible for the posting of warnings to trail users and the removal of recognized hazards,
- l) permit that the trail right-of-way shall be transferred to the corporate trail club or association for the tenure of the agreement,
- m) provide a space for the emboss of the club or association's corporate seal,

- n) permit the erecting of signs and the removal of dead or diseased trees for the safety of the trail users;
- o) in the case of snowmobile trails, specify the insurer, policy number, face amount and the expiry date of a liability insurance policy covering both the club or association and the landowner/occupier as joint beneficiaries, and further a declaration that the premium has been paid,
- p) provide for such additional clauses as circumstances demand.

## Appendix 6 - Subsidization of motorized snow vehicle trails

The rate of subsidization for snowmobile clubs shall be based on a sliding scale, depending on the density of club trail use

Density (D) is found by dividing the total number of currently validated motorized snow vehicles registered in the names of the members of the club (n1) by the total number of miles of approved trail developed and maintained by the club (n2). D shall be calculated to a tenth of a unit and shall not be less than 1.0 nor greater than 20.0.

$$D = \frac{n1}{n2}$$

$$\text{Rate of subsidization} = R = \frac{K1}{D} + K2$$

The constants, K1 and K2 depend on the density of trail use

A lightly used trail with a D of 1.0 to 6.0, is a class A trail, K1 = \$8.40 K2 = \$3.60

A moderately used trail with a D of 6.1 to 10.0 is a class B trail, K1 = \$15.00 K2 = \$2.50

A heavily used trail with a D of 10.1 to 20.0, is a class C trail, K1 = \$30.00 K2 = \$1.00

The actual subsidy (S) is found by multiplying D times R

$$S = D \times R \quad \text{or} \quad S = D + K2$$

89. Que le Ministère des Richesses naturelles établisse

une série d'aires au relief tourmenté pour la  
motocyclette, reliées entre elles par un réseau de  
pistes

Conditionnement physique

90. Que le Gouvernement de l'Ontario encourage

vivement les gouvernements régionaux, les  
municipalités les Autorités de Conservation et les

*La philosophie du motocycliste organisé est moins de bruii plus de terrain*



institutions éducatives

a) à développer et construire des pistes de  
conditionnement physique dans des parcs

b) à inciter les gens à les utiliser en démontrant les  
municipaux appropriés

c) à se prévaloir de l'aide financière de toute agence  
fédérale ou provinciale pour construire ces  
sentiers de conditionnement physique

des possibilités pour les pistes et leur facilités  
 accessibles à toutes les catégories de skieurs de fond  
 (des débutants au skieurs de compétition en passant  
 par les skieurs de longues randonnées).  
 77. Que le Programme de sentiers récréatifs en Ontario  
 reconnaisse le ski de fond comme une activité  
 familiale et encourage les clubs de sentiers et les  
 planificateurs de parcs, aux niveaux provincial et  
 municipal, de fournir des facilités pour les enfants telle  
 que des pistes courtes, des refuges chauffés et des  
 véhicules tout-terrain

78. Que le Ministère des Richesses naturelles garde  
 véhicules tout-terrain là où cela est possible  
 des parcs et les terres publiques ouvertes aux

Promenade  
 79. Que le Programme de sentiers récréatifs en  
 Ontario reconnaisse le promeneur comme l'usager  
 exclusif ou prioritaire des sentiers établis par les

80. Que le Ministère des Richesses naturelles lance un  
 programme dans le cadre du Programme de sentiers  
 récréatifs en Ontario pour acquérir des passages de  
 sentiers qui permettraient l'utilisation par le public des  
 sentiers établis par les clubs de promeneurs, à des fins  
 de promenade et d'autres utilisations compatibles  
 désignées, à perpétuité ou pour de longues périodes.  
 Le programme serait financé par le Programme de  
 sentiers récréatifs en Ontario ou d'autres sources

Le Ministère devrait rechercher l'avis de délégués des  
 groupes d'activités pedestres pour déterminer les  
 passages à stabiliser dans ce programme

81. Que le Ministère des Richesses naturelles  
 pour les cavaliers et leur monture, et qu'il aide les

provinces et le manque actuel de pistes et de facilités  
 pour les cavaliers et leur monture, et qu'il aide les

clubs et associations équestres à développer et  
 fournir des pistes équestres et leurs facilités en  
 usage quotidien, de fins de semaine ou de voyage de  
 longue durée.  
 82. Que le Programme de sentiers récréatifs en  
 Ontario reconnaisse le cavalier comme l'utilisateur  
 exclusif ou prioritaire des courtois existants  
 développés par les cavaliers pour l'équitation sur les  
 terres publiques et les passages.  
 83. Que les solliciteurs du Ministère des Transports et  
 Motocycle  
 84. Que le Ministère des Richesses naturelles participe  
 au financement des pistes de motocycle en collaboration  
 avec la Fédération ontarienne des clubs de  
 motocycle (Ontario Federation of Snowmobile Clubs).  
 Voir l'Appendice 6  
 85. Que le Ministère des Richesses naturelles établisse  
 des sentiers formels jalonnés ainsi que des parcours  
 généraux indiqués. Les bifurcations de sentiers  
 devraient porter mention de la direction et de la  
 destination. La signalisation devrait être adéquate à  
 une utilisation continue toute l'année  
 86. Que le Ministère des Richesses naturelles signale  
 les dangers possibles sur les pistes à usages multiples  
 promeneurs en requêtes sur les terres de la Couronne  
 et y passant la nuit de se faire connaître au bureau du  
 district le plus proche  
 88. Que le Ministère des Richesses naturelles  
 encourage les Autorités de Conservation, les  
 municipales et d'autres agences à coopérer avec les  
 clubs de motocycle pour fournir les aires à utiliser  
 en accord avec les besoins locaux démontés

der l'ayant toutes les activités sportives et récréatives existantes et désignant des endroits adéquats à la mise en place de possibilités de récréation publique pour toutes ces activités. À l'heure actuelle, la motocyclette, les véhicules tout-terrain, l'équitation et la motoneige sont exclus de la plupart des Parcs et Aires de Conservation. À cause de l'intérêt croissant, les Parcs provinciaux et les Aires de Conservation devraient fournir des endroits appropriés à ces activités.

## Besoins particuliers

La plupart des problèmes soulevés par les usagers interrogés par le Conseil étaient communs à un grand nombre, sinon à toutes, des activités. Ces problèmes ont été couverts ci-dessus. Cependant, certains besoins particuliers ont été dégagés, les recommandations ci-après y répondent.

L'information sur les besoins et les problèmes des différents groupes d'usagers se trouve dans la section «Considérations prioritaires» (Major Issues). Nous recommandons

### Bicyclette

66. Que le Ministère des Transports et Communica-

tions alloue une proportion de son budget annuel à la création de pistes cyclables distinctes ou d'accotements bitumés cyclables sur les routes provinciales déterminées par le Ministère des Richesses naturelles dans le cadre du Programme de services récréatifs en Ontario.

67. Que les municipalités soient encouragées à raccorder les pistes cyclables urbaines et municipales aux pistes cyclables rurales et à établir des voies cyclables séparées sur certains routes municipales

68. Que les groupes de cyclistes déterminent des itinéraires locaux.

69. Que le Ministère des Transports et Communica-tions fournisse la signalisation sur ces parcours et les pistes cyclables interprovinciales, en collaboration avec les municipalités, les cyclistes et les agences gouvernementales.

70. Que le Ministère des Transports et Communica-tions identifie ces parcours sur les cartes routières actuelles de l'Ontario.

71. Que le Ministère de l'Industrie et du Tourisme publie et distribue l'information rassemblée par les clubs cyclistes sur ces parcours.

72. Que le Ministère de l'Industrie et du Tourisme fasse de la publicité pour ces parcours cyclistes de l'Ontario et encourage les auberges de fournir des facilités aux cyclistes sur ces parcours.

73. Que le Ministère des Richesses naturelles lance un programme d'acquisition de terres et de gestion pour les aires de campement les portages et les points d'accès sur les lacs et rivières de l'Ontario du Sud dans le but de les utiliser pour le canotage, tout en reconnaissant la priorité accordée à l'exploitation agricole.

74. Que le Ministère des Richesses naturelles accompagne les programmes de canotage d'une éducation du public sur les dangers du canotage en période de crue.

75. Que le Ministère des Richesses naturelles fournisse des cartes et des descriptions de parcours comprenant les niveaux d'aptitude requise pour ces voies. On appliquerait l'échelle de 1 à 5 développée par l'Association canadienne du canot récréatif (Canadian Recreational Canoeing Association).

76. Que le Ministère des Richesses naturelles fournisse

### Ski de fond



moins, d'interdire l'accès des zones dangereuses en plaçant des barrières et des clignotants rouges

62. Que le Ministère des Richesses naturelles

à bail ou sur prêt des appareils de signalisation visuels

ou électroniques peu dispendieux, à ceux qui

s'inscriraient pour de longs voyages dans la nature

Pour les autres, on évaluerait le montant partiel de

toute opération de sauvetage

Compatibilité

63. Que le Ministère des Richesses naturelles

reconnaisse aux propriétaires et/ou agences

organisatrices le droit de désigner 1(es) utilisation(s)

des sentiers. Toute utilisation non autorisée serait

considérée comme un abus

64. Que le Ministère des Richesses naturelles

encourage l'utilisation multiple des sentiers là où les

similitudes d'usage ne compromettent pas la

sécurité des usagers autorisés à utiliser

commun à certaines activités, ou là où l'utilisation

différentielle est possible. Certains sentiers devraient

avoir une utilisation séparée, exclusive pour

promouvoir la qualité de l'expérience de l'utilisateur et

65. Que le Gouvernement de l'Ontario prépare une

politique exhaustive de récréation en plein air

Étant donné que nous devons conserver de l'énergie et nous dépenser plus physiquement, il est de plus en plus important d'encourager les activités qui gaspillent de l'énergie sans bienfait corporel d'autant plus que par la mise nous privons les autres du plaisir de l'écouter et/ou de débiter dans de telles activités qui sont saines et

utiliser sur les sentiers pour réglementer, signaler et diriger la circulation. Les panneaux seraient délivrés sur demande aux clubs reconnus

- a) déposer un gage proportionnel à la quantité de panneaux  
b) être tenus de retourner ces panneaux au Gouvernement à la dissolution pour récupérer le gage

#### Cartes des sentiers

Que le Ministère des Richesses naturelles, en collaboration avec les groupes d'usagers, développe un système normalisé de cartes employant un classement des sentiers par activité et degré de difficulté

59 Que le Ministère des Richesses naturelles produise des cartes des sentiers récréatifs et des parcours de bureaux de district du Ministère, le personnel des associations provinciales de sentiers récréatifs. Les parcs et les groupes locaux reconnus d'usagers contribueraient à l'information nécessaire à l'établissement de ces cartes. Les cartes finies seraient vendues au public à prix coûtant

60 Que le Gouvernement de l'Ontario fournisse les fonds nécessaires au développement de la signalisation et de l'établissement des cartes

#### Sécurité

61 Que le Ministère des Richesses naturelles doive approuver formellement l'installation de machines à bulles (bubblers) et d'appareils de dégivrage. L'approbation dépendrait en partie de l'exigence de signaler ces appareils adéquatement pour prévenir le public voyageant sur la glace

L'approbation formelle serait soumise à l'approbation provinciale annuelle

Les bureaux de district du Ministère appliqueraient les règlements sur l'installation et le fonctionnement de ces appareils. Le propriétaire serait requis, à tout le







encouragent l'utilisation à fins récréatives des terres sans potentiel agricole ou de développement. Les sentiers respecteraient les désignations de zones pour l'exploitation agricole et seraient sujets à une réglementation générale dans le cadre de plans locaux officiels relatifs aux aires de résidence et d'agriculture. Les gouvernements ou aux devraient songer à des exemptions ou des suspensions de taxes pour encourager l'établissement de sentiers récréatifs sur de telles zones.

45. Que les solliciteurs du Ministère des Richesses naturelles développent, en coopération avec le Ministère des Transports et Communications, la Fédération ontarienne de l'Agriculture (Ontario Federation of Agriculture), des exploitants forestiers importants et le Conseil consultatif, un Accord officiel sur l'accès à des terres patentes à fins récréatives. Nos recommandations pour l'établissement d'un tel document se trouvent à l'Appendice 5.

46. Que le Ministère des Richesses naturelles développe un programme d'incitation pécuniaire à l'égard des propriétaires qui autoriseront l'utilisation de leurs terres à des fins récréatives publiques. Ce programme devrait spécifier clairement que les droits et titres de propriété restent entiers pour les propriétaires. Les bénéficiaires, si besoin était, seraient proportionnels à la contribution apportée au système de sentiers par le propriétaire. Ils pourraient compter une compensation des points suivants

- a) le bail
- b) le développement des routes inutilisées
- c) la cession négociée de terrains compensée par des indemnités
- d) le droit de définition de l'utilisation
- e) la vente dédommée de terrains
- f) l'achat de terres à un prix égal ou inférieur à celui du marché, avec exemption des droits y attachés
- g) les dégrevements d'impôts à perpétuité pour une zone désignée

- h) l'acquisition de terres et de concessions de la part de la Fondation de l'Héritage ontarien (Ontario Heritage Foundation)
- i) les options pour un achat ultérieur négocié
- j) achat de la terre et son bail au propriétaire pour lui en laisser usufruit, donnant priorité à l'usage du sentier
- k) l'achat sur le marché et la revente sur ce même marché des portions inutilisées
- l) l'extension ou la modification de l'utilisation des terres de la Couronne, en étendant le concept de licence ou d'occupation, des permis d'utilisation et des baux spécifiés pour autoriser les clubs et autres usagers à utiliser des sentiers linéaires pour des périodes spécifiées
- m) le commerce de terres aux endroits où la terre productive peut être échangée contre de la terre

47. Que le Gouvernement de l'Ontario établisse un fonds d'indemnisation d'utilisation pour les propriétaires de terres. Ce fonds serait administré par le Ministère de l'Agriculture et de l'Alimentation ontarien et d'autres agences appropriées et paierait les dommages causés par l'utilisation et les mauvais usages d'activités récréatives. Les dédommagements incluraient les dommages et disparitions de clôtures, de bâtiments, de machines, de récoltes et les morts et blessures de bétail. Les dédommagements ne porteraient que sur les parties non couvertes par une assurance

### Financement

L'augmentation du nombre des usagers rend plus en plus difficile la tâche des bénévoles des clubs qui établissent et entretiennent les sentiers et leurs facilités pour le public, sans le soutien raisonné des fonds publics. Il est vital que les clubs continuent à exercer leurs activités dans les sentiers. Les membres des clubs ont la faculté et la disposition de fournir bénévolement l'expertise technique, le savoir et la main

Dans le même domaine il est à considérer que les jeunes n'ont pas forcément les moyens financiers ou les possibilités de posséder une voiture. Si donc les services faciles récréatives, telles que les sentiers de promenade sont à 5 ou 10 milles



39 Que le Ministère des Richesses naturelles révisé la

loi sur les Parcs provinciaux pour inclure une classification des sentiers provinciaux. Ce genre de parc sentier et assurerait le permanence de l'alignement des sentiers. Des fonds devraient être alloués pour l'acquisition de couloirs pour les sentiers provinciaux

40 Que le Ministère des Richesses naturelles ajoute à la loi sur les Parcs provinciaux des sections assurant des systèmes complets de rivière à des parcs avec les protections adéquates. De plus, la loi actuelle sur les terres publiques devrait être appliquée pour protéger l'accès, les portages et les aires de campement le long des parcours de canot établis

41 Que le Ministère des Richesses naturelles protège les rivières canotables les systèmes de lacs des impacts négatifs pour l'environnement et la vue des programmes d'écotourisme. Tous les accès et voies navigables et les portages devraient être isolés des activités motorisées et terrestres

42 Que le Ministère des Richesses naturelles établisse des passages de sentiers qui seraient administrés par lui-même avec les terres de la Couronne dans les zones récréatives de l'Ontario du Centre et du Nord. Ces sentiers devraient être enregistrés dans les bureaux de district du Ministère et portés sur ses cadastres. De plus, les sentiers pour-raient être protégés par la limitation de zones où le

droits patentes pour les activités compétitives telles que l'exploitation minière ou forestière

43 Que le Ministère des Richesses naturelles accorde des permis d'utilisation pour les sentiers récréatifs à long terme pour protéger l'investissement antérieur Les permis d'utilisation des terres pour les sentiers ne seraient pas affectés par les permis d'utilisation de terres pour l'exploitation forestière

44 Que les municipalités prennent en compte les sentiers récréatifs dans leurs plans officiels et

"Si un sentier est bloqué par quelque nouveau développement ou tout autre raison, une autre route n'est qu'une route"

général de sentiers récréatifs, à la condition de ne pas nuire aux activités agricoles

32. Que le Ministère des Richesses naturelles encourage les municipalités à désigner des routes propres à servir à des fins récréatives dans leur plans officiels

33. Que le Ministère du Logement établisse un modèle de statut permettant aux municipalités de convertir ces routes inutilisées à des fins récréatives

34. Que le Programme des Sentiers récréatifs de l'Ontario veuille à ne pas trop utiliser de terre agricole productive en jouant des couloirs en bordure des champs productifs

35. Que le Ministère des Richesses naturelles désigne des zones à l'environnement fragile qui devraient être protégées de la dégradation due à la circulation et à l'impact négatif de certaines activités. De telles zones fragiles seraient protégées et dépouvnus de sentiers dans le Programme des Sentiers récréatifs de l'Ontario

36. Que le Gouvernement de l'Ontario passe une loi chargéeant le ministère ou l'agence appropriée de réglementer l'utilisation des terres publiques non attribuées, par les groupes d'activités des sentiers Une telle loi requerrait les clubs des sentiers récréatifs d'obtenir une permission écrite des bureaux de district du Ministère des Richesses naturelles pour développer des sentiers sur les terres de la Couronne

37. Que le Ministère des Richesses naturelles établisse un système de classification des sentiers récréatifs selon l'urgence des besoins pour l'alignement de parcours stables Les critères de classification incluerait la proximité des régions développées

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Les propriétés privées ne sont en aucun cas une richesse publique Les usagers des sentiers ne doivent pas nuire aux activités agricoles

27 Que le Ministère des Richesses naturelles développe ses accords existants avec les propriétaires dans les régions de Bonification sylvestre (Woodlot Improvement Areas) et d'Extension de la faune (Wildlife Extension Areas), en incluant une clause optionnelle qui permettrait la création de sentiers récréatifs spécifiés avec l'accord du propriétaire qui percevrait une indemnité

28 Que le Ministère des Richesses naturelles évalue les routes à caractère pittoresque municipales et régionales qui pourraient être utilisées comme sentiers récréatifs. En dépit de leur circulation routière, ces sentiers pourraient être utilisés comme sentiers régionaux

29 Que le Ministère des Richesses naturelles autorise l'utilisation à fins récréatives des voies principales et des routes provinciales lorsque cela est possible dans les mesures de sécurité. Dans les endroits nécessaires, certaines routes appropriées pourraient servir à raccorder des sentiers de longue distance

30 Que l'Hydro Ontario appuie l'installation à travers des réseaux de lignes électriques, et ne soit pas contraire aux licences et pas au fonctionnement et à l'entretien des lignes possédées, à la condition que cette utilisation ne nuise récréatives des couleurs des lignes électriques qu'elle possède, à la condition que cette utilisation ne nuise pas au fonctionnement et à l'entretien des lignes électriques, et ne soit pas contraire aux licences et accords existants

31 Que le Ministère des Richesses naturelles fasse l'évaluation des routes municipales et provinciales abandonnées pour chemin de fer, et des couleurs des services publics. Ceux présentés un potentiel récréatif exceptionnel seraient incorporés à un plan

21. Que le Ministère des Richesses naturelles encourage des personnes compétentes, comme des prospecteurs et des inspecteurs de forêts, qui voyagent dans la nature sauvage appropriée, de façonner des pistes

22. Que le Gouvernement de l'Ontario mette au point des procédures de certification et identifie des autorités à même de certifier des guides de voyage dans la nature pour diverses activités de sentiers

## Ressources foncières

23. Que le Ministère des Richesses naturelles développe le Programme des Parcs provinciaux pour offrir l'éventail le plus large de possibilités de sentiers et soutienne les facilités à l'intérieur des classes appropriées de parcs provinciaux pour combler le manque actuel de possibilités pour l'équitation, la motoneige, et la motoneige.

24. Que le Ministère des Richesses naturelles reconnaisse les besoins des usagers qui parcourent de longues distances et aménage des étapes avec des facilités adéquates à l'intérieur des Parcs provinciaux et des Aires de Conservation adjacentes aux sentiers permanents de longue distance.

25. Que le Ministère des Richesses naturelles, en collaboration avec des propriétaires, développe son Programme, pour permettre et encourager le développement de sentiers récréatifs publics là où le besoin s'en fait sentir, et où un tel développement ne contrecarre pas la gestion forestière de la région

26. Que le Ministère des Richesses naturelles développe son programme provincial de Protection de la faune et des Aires Protégées pour permettre d'encourager le développement de sentiers

une expertise technique dans la conception, la disposition et l'impact de l'utilisation des sentiers

- f) d'étudier des méthodes pour améliorer le Programme des Sentiers récréatifs de l'Ontario et d'établir certaines recommandations appropriées, d'étudier et d'appuyer toute réglementation qui puisse clarifier, étendre, modifier et promouvoir une politique compatible avec l'objectif provincial au sujet des sentiers récréatifs;
- h) de coordonner les associations provinciales des Sentiers récréatifs, d'établir des liens avec les associations provinciales communes;
- i) de rendre compte annuellement au ministère du Fonctionnement du Programme des Sentiers récréatifs de l'Ontario.
- 13 Que le Ministère des Richesses naturelles se charge de la coordination et direction du Programme des Sentiers récréatifs en liaison avec les diverses agences aux différents niveaux du gouvernement en ce qui concerne le développement des sentiers, qu'il offre des conseils techniques aux constructeurs de sentiers, qu'il encourage la stabilité des chemins, qu'il développe un système normalisé de signalisation et de cartographie, qu'il distribue au public toute information au sujet du Programme des Sentiers récréatifs, qu'il prenne en charge l'éducation du public et qu'il renforce la réglementation des sentiers,
- 14 Que les gouvernements locaux continuent la coordination des sentiers au sein de leurs juridictions. Ils pourraient ainsi faciliter la mise en place du Programme des Sentiers récréatifs de l'Ontario en participant individuelle et l'aide des clubs locaux, associations provinciales des sentiers, associations appartenues et le Ministère des Richesses naturelles
- 15 Que les Autorités de Conservation continuent d'assurer la responsabilité du développement et de l'entretien des sentiers récréatifs dans les aires de leur compétence.
- 16 Que le Ministère de l'Industrie et du Tourisme

"Nous pensons qu'une partie des revenus engendrés par l'industrie de la mojonerie devaient être reversée aux clubs locaux et aux clubs de la province pour les clubs périmaires l'industrie de la mojonerie." Nous pensons qu'une partie des revenus engendrés par l'industrie de la mojonerie devaient être reversée aux clubs locaux et aux clubs de la province pour les clubs périmaires l'industrie de la mojonerie.

17. Que le Ministère des Richesses naturelles facilite la construction et le fonctionnement de concessions concernant les sentiers récréatifs sur des terrains publics récréatifs
- 18 Que le Ministère des Richesses naturelles entreprenne des recherches pour la planification et la gestion futures des sentiers récréatifs. Parmi ces études se trouveraient:
- a) un inventaire complet des sentiers récréatifs provinciaux, avec indication de la longueur, du lieu, de la (des) catégorie(s) d'utilisateurs et de la fréquence d'utilisation,
- b) un recensement des usagers de sentiers récréatifs et des clubs avec mention des lieux, des types d'activités et de la fréquence,
- c) les problèmes concernant les propriétaires, les incitations pour les propriétaires à laisser utiliser leur terrains pour la récréation publique,
- d) l'impact des activités de sentiers récréatifs sur l'environnement,
- e) l'impact économique des activités de sentiers récréatifs.
- 19 Que le Ministère des Richesses naturelles entreprenne un examen quinquennal des recommandations du Conseil des Sentiers récréatifs de l'Ontario pour un programme de sentiers.
- 20 Que le Ministère des Richesses naturelles consulte des usagers ayant l'expérience des sentiers récréatifs, des clubs, des fermiers et des gérants forestiers pour
- Planification à long terme**

**Responsabilités de l'administration**

Jusqu'à présent, les besoins en sentiers récréatifs ont été comblés grâce à la coopération des propriétaires et aux efforts des clubs privés en leur nom propre et au bénéfice du public. Cette autonomie devrait être encouragée et soutenue dans l'avenir et le Gouvernement provincial devrait prendre en charge les responsabilités et fonctions que les clubs ne sauraient assurer. En conséquence, nous recommandons.

9. **Que les clubs de sentiers récréatifs continuent de créer, de développer et d'entretenir des sentiers individuels.** On devrait leur accorder la possibilité de passer des accords avec les propriétaires sur l'accès des terrains, de promouvoir la stabilité des parcours, et de prendre part à l'application des règles sur les sentiers récréatifs. La responsabilité de l'éducation de leurs membres devrait leur échoir. L'incorporation des clubs et associations en tant qu'organisations a but non lucratif est recommandée pour la protection de leurs membres et de leurs dirigeants. Ceci pourrait être effectué à peu de frais

10. **Que le Ministère des Richesses naturelles, par l'intermédiaire de ses bureaux régionaux et de district, encourage la formation de conseils locaux bénévoles de sentiers récréatifs dans les endroits où la diversité de l'intérêt le permet.** Ces conseils locaux discuteront les collets et les problèmes d'intérêt commun, feraient des recommandations pour le financement et fourniraient au Ministère un rapport équilibré des problèmes et des besoins dans les sentiers récréatifs de leur région. Le Ministère leur fournirait les services de secrétaires et d'une personne compétente

11. **Que les fédérations servent de lien de communication de secrétaires et d'une personne compétente**

12. **Que le Ministère des Richesses naturelles établisse un Conseil Consultatif permanent des sentiers,** composé du membres qui le conseilleront sur les attributions du Programme des Sentiers récréatifs et qui coordonneront politiques et préoccupations communes à l'échelle de la province au sein des associations des sentiers. Tout ceci indépendamment du Conseil Provincial des Parcs.

a) **de conseiller le Ministère en ce qui concerne la politique des sentiers récréatifs en Ontario au fur et à mesure des demandes;**

b) **d'étudier et de recommander auprès du Ministère le niveau de support financier requis par le Programme des Sentiers récréatifs de l'Ontario,** d'encourager une allocation de financement public dans l'intérêt du Programme des Sentiers récréatifs de l'Ontario et, à la demande du Ministère, de le conseiller au sujet des différentes moyennes d'un tel financement;

d) **d'obtenir et d'évaluer les renseignements sur tout sujet pertinent aux sentiers récréatifs,** renseignements ne provenant pas de personnes représentées par les clubs ou associations des sentiers, d'entrer en contact et de recevoir des comptes rendus d'usagers indépendants, de clubs et d'associations provinciales des sentiers, d'assocsations aux activités appartenant aux sentiers, de différents niveaux du gouvernement, agences gouvernementales et entreprises commerciales en ce qui concerne une politique envers le

tion entre leurs clubs affiliés et le Ministère des Richesses naturelles par l'intermédiaire d'un conseil consultatif des sentiers récréatifs et de conseils locaux dans le but d'assurer l'application et le fonctionnement du Programme des Sentiers récréatifs de l'Ontario. Elles devraient également être responsables de l'éducation des usagers à l'intérieur des clubs

modification de la législation,  
Motocycliste: fourniture de pistes supplémentaires et  
protection des pistes existantes,  
Conditionnement physique: fourniture de pistes de  
conditionnement physique;

Programme des Sentiers  
naturels dans le but de mettre en application le  
Programme des Sentiers récréatifs de l'Ontario

## Législation

6. Que le Gouvernement de l'Ontario modifie la  
législation en introduisant une loi sur les sentiers

concernant les sentiers à l'exception de la loi sur les  
sentiers de l'Ontario

7. Que le Gouvernement de l'Ontario modifie la  
législation en introduisant une loi sur les sentiers

récréatifs,  
et de l'Ontario

terrains,  
récréatifs,  
L'application des règlements sur les terrains

de passer des accords avec des entreprises  
travaux, dans le but d'éduquer les usagers et de  
liens dans le but d'éduquer les usagers et de

de négocier avec les propriétaires les passages  
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de passer des accords avec des entreprises



g) l'utilisation des accords sur l'accès des terrains  
La loi sur les sentiers de l'Ontario

de négocier avec les propriétaires les passages  
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de passer des accords avec des entreprises

Tout autre réseau de sentiers qui traversent des terres privées n'est possible que grâce à la généreuse

Dans les zones à proximité de centres urbains une telle situation est le

La décision du propriétaire de vendre sa terre et donc de demander



# Recommandations

Le Conseil des Sentiers récréatifs de l'Ontario, ayant identifié et étudié les problèmes et aspirations des usagers des sentiers récréatifs ainsi que de toute personne concernée par ces activités en Ontario, recommande les points suivants:

## Responsabilité civile

La loi rend le propriétaire ou occupant d'un terrain responsable de toute personne, invitée ou non, venant à se trouver sur ce terrain. Ceci constitue un obstacle majeur à l'extension et au développement des sentiers récréatifs en Ontario. En conséquence, nous

1. Que le Gouvernement de l'Ontario modifie dans les délais les plus courts la législation existante sur la responsabilité de l'occupant. L'Appendice 2 contient nos propositions en vue d'une telle modification
2. Que les clubs et organisations de sentiers récréatifs percevant une collision et/ou un droit d'entrée assurent la prise en charge des utilisateurs de leurs activités. Cette prise en charge ne pourrait en aucun cas être dévolue aux propriétaires qui autorisent à titre gratuit l'utilisation de leur propriété

## Programme de sentiers récréatifs en Ontario

Dossiers, correspondances et réunions publiques ont montré au Conseil des Sentiers récréatifs de l'Ontario que l'intérêt dans un large éventail d'activités va croissant dans la province. En conséquence, nous recommandons

3. Que le Ministère des Richesses naturelles établisse et coordonne un Programme des Sentiers récréatifs de l'Ontario comportant les attributions suivantes
  - a) faciliter l'établissement de sentiers récréatifs pour la promenade, le canot, le conditionnement physique, l'équitation, la bicyclette, la moto-cyclette, les véhicules tout-terrain, la motoneige,

- b) créer et concevoir des sentiers individuels
- c) développer et construire des sentiers individuels
- d) promouvoir la stabilité des parcours
- e) éduquer les usagers
- f) veiller à l'application des règlements
- g) établir un contact avec les usagers par l'intermédiaire d'un futur Conseil consultatif des Sentiers récréatifs

Que le Gouvernement de l'Ontario tienne compte des besoins majeurs des usagers (détails ci-dessous) dans la mise au point de la politique fiscale et des

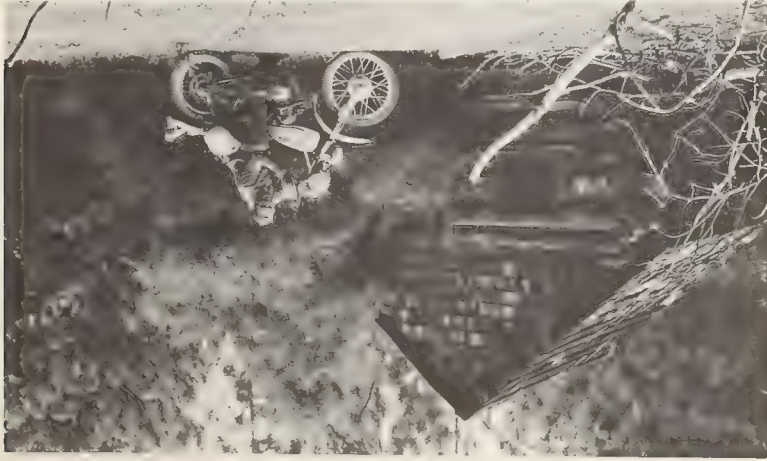
l'Ontario

Besoins communs à tous les usagers facilité d'accès aux terrains publics appropriés, système de sentiers pour l'usage individuel et de groupe

ministère de l'information chargé de la coordination du programme; centralisation de l'information, programme éducatif, normalisation de la signalisation, Bicyclette: désignation des parcours et sécurité, Canot: protection des accès, portages et parcours existants, classement des parcours en fonction de la construction des pistes; désignation de pistes spécialisées, Véhicules tout-terrain: désignation d'aires et de pistes, Promenade: établissement de pistes sûres et création de sentiers spécialisés aux endroits adéquats, Equitation: fourniture de pistes supplémentaires et protection des pistes existantes,

Motoneige: assistance à l'entretien des pistes et





Ceci exige une planification compréhensive

centrale

Les recommandations présentées dans la partie

suivante constituent la réponse du Conseil des Sentiers à l'égard de ces préoccupations

Pour ce qui est des possibilités récréatives de

l'Ontario les activités de sentiers méritent un appui total

Elles encouragent le conditionnement physique, et

l'voyage mental. Elles sont ouvertes à toutes les

bourses. De plus il y a des sentiers pour tous les degrés

de forme physique et ils offrent à tous qu'ils soient âgés handicapés ou délaavorisés la chance de s'élever en plein air. Les activités de sentiers aiguisent la prise de conscience et l'appréciation de l'environnement et se transforment en expérience éducative pour ceux qui en profitent. Les sentiers, et grâce à la généreuse coopération des propriétaires, nous pouvons disposer contre un investissement minimal en taxes, de magnifiques sentiers récréatifs.

terres publiques et de stimuler les propriétaires

a) l'usage multiple des sentiers offre un meilleur rendement pécunier mais soulève des conflits

b) l'utilisation des sentiers par des personnes motorisées et non motorisées est hazardeuse

a) éducation du public

b) sanctions prises contre le non respect des règles

a) codification nécessaire pour préciser les usages

b) autorisés des sentiers, le statut des propriétaires, les différentes de l'interaire etc

c) nécessité de distribuer au public des cartes

a) encouragement à l'entretien

b) subventions données aux organisations pour créer des sentiers

c) établissement de droits de passage de manière à financer le développement et l'entretien des sentiers

d) reconnaître la part des valeurs économiques et sociales des activités de sentiers

a) la nécessité d'appartenir à des organisations provinciales de sentiers n'existe pas dans la mesure où les terres publiques sont ouvertes aux indépendants

b) instabilité des sentiers du fait des changements d'usages pour les terres de la couronne

c) encourager la sécurité de voyager en pleine nature

a) plus de sentiers

b) meilleur équilibre entre les différentes activités

nombre de dix; bicyclette, canotage, équitation, excursion à pied, motocyclette, motoneige, parcours de conditionnement, raquette et conduite tout terrain

Les opinions recueillies par le Conseil lors des réunions publiques et dans une deuxième conférence en juin 1977, attestaient des préoccupations des usagers. Des réunions

publiques au nombre de 14 se sont tenues dans villes et cités à travers la province et plus de 350 résumés ont été

soumis au Conseil. Par tout où le Conseil s'est réuni une

part de tous, en faveur ou non des sentiers, s'est dégagée

Voici résumés ci-dessous les problèmes les plus

1. Responsabilités des propriétaires ou locataires

a) vis à vis des personnes qui peuvent être blessées sur leurs terres

b) vis à vis des personnes qui peuvent se blesser mutuellement sur leurs terres

c) vis à vis de la propriété qui peut être endommagée par les personnes la traversant

a) pas de dissolution des droits de propriété en permettant l'usage à long terme des sentiers

b) sur des propriétés privées, infraction soit en s'écartant du sentier soit en utilisant le sentier

c) dédommagements pour dégâts causés à la propriété

d) compensation et indemnité financière en échange des droits de passage des sentiers

e) normalisation des accès par le gouvernement élaboration d'un décret unique pour toutes législations et réglementations pertinentes aux sentiers

a) le retrait d'autorisation du propriétaire provoque de fréquents changements d'alignements et des pertes financières

b) nécessité et d'encourager les sentiers sur des



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12	Stabilité des parcours
13	Financement
14	Information des usagers
15	Sécurité
16	Compatibilité
17	Besoins particuliers
17	Canot
18	Ski de Fond
18	Véhicules tout-terrain
18	Promenade
18	Equitation
18	Motoneige
18	Raquettes
18	Motocyclette
19	Conditionnement physique

Conseil des Sentiers  
récréatifs de l'Ontario  
étude définitif



Lieu de réunion publique  
\* Adresse des membres de C.S.R.O.



